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*Vermont. General assembly. Senate*

JOURNAL  
OF  
THE SENATE  
OF THE  
STATE OF VERMONT,  
BIENNIAL SESSION, 1888.

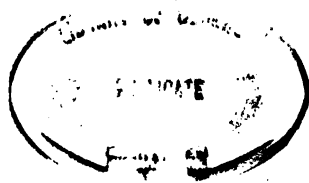


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# JOURNAL OF THE SENATE.

WEDNESDAY, OCTOBER 3d, 1888.

Pursuant to the provisions of the constitution and laws of the state of Vermont, the senate convened in the state-house at Montpelier, on the first Wednesday, being the third day of October in the year of our Lord one thousand eight hundred and eighty-eight.

At ten o'clock in the forenoon the senate was called to order by His Honor Levi K. Fuller, the president.

Devotional exercises were conducted by Rev. J. A. Pierce of Randolph.

The roll of the senate was called, whereupon it appeared that the following named senators were present, and they were duly sworn by the president and severally subscribed the oath of office:

Addison County,	GEORGE HAMMOND, WILLIS R. PEAKE,	Middlebury. Bristol.
Bennington County,	DAVID K. SIMONDS. WILLIAM P. MATTESON,	Manchester. Shaftsbury.
Caledonia County,	HENRY C. BATES, CHARLES A. BUNKER,	St. Johnsbury. Peacham.
Chittenden County,	ELIHU B. TAFT, LONDUS F. TERRILL, WILLIAM W. HIGBEE,	Burlington. Underhill. Charlotte.
Essex County,	ZOPHAR M. MANSUR,	Brighton.
Franklin County,	WILLIAM H. GIDDINGS, EDWIN R. BELL,	Bakersfield. Franklin.
Grand Isle County,	NELSON W. FISK,	Isle La Motte.
Lamoille County,	HENRY C. FISK,	Morristown.
Orange County,	OLON F. FRARY,	Strafford.
Orleans County,	CHARLES P. STEVENS, JOHN E. CHAMBERLIN,	Troy. Albany.
Rutland County,	JOHN W. CRAMTON, GEORGE BRIGGS, ANDREW N. ADAMS, CHARLES RIPLEY,	Rutland. Brandon. Fair Haven. Poultney.
Washington County,	FRED E. SMITH, WALTER A. JONES,	Montpelier. Waitsfield.

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Windham County,	AUGUSTINE A. BUTTERFIELD,	Whitingham.
	SIDNEY HOLMES,	Grafton.
Windsor County,	WILLIAM E. JOHNSON,	Woodstock.
	MARSH O. PERKINS,	Windsor.
	HENRY J. PARKER,	Andover.

Mr. Fisk of Lamoille moved that the senate do now proceed to the election of a secretary, assistant secretary, president *pro tempore*, and chaplain.

Which was agreed to.

On motion of Mr. Bates, no other nomination being made for secretary,

CHAUNCEY W. BROWNELL, JR.,

of Burlington, was unanimously elected by a *viva voce* vote, under a suspension of the rules. He presented himself at the bar of the senate and received the oath of office.

The senate then proceeded to the election of assistant secretary.

The president appointed as tellers, Senators Smith and Adams.

The ballots having been taken and examined for assistant secretary, it appeared that the senate had made no choice.

The senate again proceeded to the election of assistant secretary.

The president appointed as tellers, Senators Perkins and Chamberlin.

The ballots having been taken and examined for assistant secretary, it appeared that the senate had made no choice.

The senate again proceeded to the election of assistant secretary.

The president appointed as tellers, Senators Frary and Mansur.

The ballots having been taken and examined for assistant secretary, it appeared that the senate had made no choice.

The senate again proceeded to the election of assistant secretary.

The president appointed as tellers, Senators Holmes and Cramton.

The ballots having been taken and examined for assistant secretary, it appeared that the senate had made no choice.

The senate again proceeded to the election of assistant secretary.

The president appointed as tellers, Senators Giddings and Peake.

The ballots having been taken and examined for assistant secretary, it appeared that

FRED. W. CADY

of West Windsor, having received a majority of all the votes cast;



was elected, and he presented himself at the bar of the senate and received the oath of office.

The senate then proceeded to the election of chaplain.

The president appointed as tellers, Senators Taft and Simonds.

The ballots having been taken and examined for chaplain, it appeared that the senate had made no choice.

The senate again proceeded to the election of chaplain.

The president appointed as tellers, Senators Bell and Fisk of Grand Isle.

The ballots having been taken and examined for chaplain, it appeared that

REV. J. A. PIERCE

of Randolph, having received a majority of all the votes cast, was elected.

The senate proceeded to the election of a president *pro tempore*.

. And on motion of Mr. Bunker, no other nomination being made,

HENRY C. BATES,

a senator from the county of Caledonia, was unanimously elected *viva voce* president *pro tempore*, of the senate.

Mr. Simonds offered the following resolution, which was read and adopted :

*Resolved*, That the secretary be and is hereby directed to inform the house of representatives that a quorum of the senate have assembled and organized by the election of Henry C. Bates, president *pro tempore*, Chauncey W. Brownell, Jr., secretary, Fred. W. Cady, assistant secretary, and are ready on their part to proceed with the business of the session.

Mr. Mansur offered the following resolution, which was read and adopted :

*Resolved*, That the senate be governed by the senate rules of the session of 1886 until others are adopted.

Mr. Briggs offered the following resolution, which was read and adopted :

*Resolved*, That a committee of two senators be appointed by the president to wait upon His Excellency, the Governor, and inform him that the senate have organized and are ready to proceed with the business of the session.

The president appointed as the committee to wait upon His Excellency, the Governor,

Senator Briggs of Rutland,  
Smith of Washington.

Mr. Perkins offered the following resolution, which was read and adopted :

*Resolved*, That the secretary of the senate furnish to each senator and officer of the senate, two daily papers and one weekly paper during the session.

Mr. Mansur offered the following joint resolution, which was read and adopted on the part of the senate :

*Resolved by the Senate and House of Representatives*, That the joint rules of the session of 1886, be the joint rules of this session until others are adopted.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that a quorum of the house have assembled and organized by the election of Josiah Grout, the representative from the town of Derby, as speaker, and William W. Stickney of Ludlow, as clerk, and are now ready on their part to proceed with the business of the session.

The president appointed as a committee to wait upon Hon. Henry C. Bates, president *pro tempore* elect, and conduct him to the bar of the senate to receive the oath of office,

Senator Bunker of Caledonia.  
Taft of Chittenden,

The committee appointed to wait upon the president *pro tempore* elect, appeared at the bar of the senate accompanied by Hon. Henry C. Bates, who received the oath of office, and being called to the chair addressed the senate as follows :

SENATORS :

I desire to express my grateful thanks for the honor you have conferred upon me by electing me to this position.

Under certain conditions which, let us hope, may not arise, it may become a most important one. I refer to the disability, from any cause, of the president of the senate to perform the functions of his office, in which case the discharge of these duties falls upon the president *pro tempore*.

Whoever may preside during the deliberations of this body will need, and I am sure may confidently expect, your kind and patient forbearance.

In my own behalf I now bespeak it; but at the same time I pledge to you an honest endeavor to discharge every duty to the best of my ability.

As we meet from day to day, faces now strange will soon grow familiar, and let us hope that acquaintances now auspiciously begun may ripen into endearing friendship, that shall be unmarred by unkind thought or word on the day of our separation. Again offering you my thanks for your kind consideration, I assume the duties of the position to which you have elected me, and await your pleasure.

On motion of Mr. Bunker, the senate adjourned.

#### AFTERNOON.

The president nominated as the committee, on the part of the senate, to canvass votes for the state officers:

Senator Hammond of Addison,  
Simonds of Bennington,  
Bunker of Caledonia,  
Taft of Chittenden,  
Mansur of Essex,  
Bell of Franklin,  
Fisk of Grand Isle,  
Fisk of Lamoille,  
Frary of Orange,  
Stevens of Orleans,  
Briggs of Rutland,  
Jones of Washington,  
Butterfield of Windham,  
Parker of Windsor.

They were confirmed by the senate, and arising in their seats the president administered the prescribed oath to the members of the committee.

Mr. Bates moved that a committee of one senator from each county be appointed by the president to nominate the standing committees of the senate.

And the same was agreed to.

On motion of Mr. Bunker, the senate took a recess of fifteen minutes.

At the expiration of the recess the president resumed the chair.

Mr. Briggs from the committee appointed to wait upon His Excellency, the Governor, and inform him that the senate had organized and was ready to proceed with the business of the session, reported that the committee had performed the duty assigned them and that the Governor would communicate with the senate soon.

A message was received from His Excellency, the Governor, by Mr. Proctor, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he will deliver his retiring message in the presence of the general assembly on such date and hour as the two houses may fix upon.

Mr. Adams offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 4th next, at eleven o'clock in the forenoon, to receive the message of the retiring Governor.*

Which was read and adopted on the part of the senate.

Mr. Perkins moved that the senate do now take a recess of fifteen minutes.

Which was agreed to.

At the expiration of the recess the president resumed the chair.

Mr. Jones offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 4th next, at two o'clock and thirty minutes in the afternoon, to receive the report of the joint canvassing committee appointed to canvass votes for state officers.*

Which was read and adopted on the part of the senate.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part appointed the following named gentlemen as members of the committee to canvass votes for state officers :

Addison county,	- - -	Mr. Hanchett of Bristol, Church of Whiting, Martin of Hancock ;
Bennington county,	- - -	Mr. Bolster of Winhall, Hard of Sangate, Matteson of Glastenbury ;

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Caledonia county, - - -	Mr. Moulton of Newark, Smith of Stannard, Dexter of Sheffield ;
Chittenden county, - - -	Mr. Stevens of Bolton, Isham of St. George, Carpentier of Colchester ;
Essex county, - - - -	Mr. Ford of Victory, Conway of Norton, Paschal of Brunswick ;
Franklin county, - - -	Mr. Parsons, of Fletcher, Felton of Franklin, Furman of Swanton ;
Grand Isle county, - - -	Mr. Gordon of Grand Isle, Fleury of Isle La Motte; Phelps of South Hero ;
Lamoille county, - - -	Mr. Davis of Belvidere, Gray of Elmore, Church of Waterville ;
Orange county, - - -	Mr. Barrett of Strafford, McLam of Topsham, Battles of Braintree ;
Orleans county, - - -	Mr. Williams of Albany, Gilman of Westmore, Cooledge of Lowell ;
Rutland county, - - -	Mr. Button of Clarendon, Baird of Chittenden, Tryon of West Haven ;
Washington county, - - -	Mr. Thompson of Fayston, Stone of Worcester, Fisk of Woodbury ;
Windham county, - - -	Mr. Tudor of Somerset, Cutler of Brookline, Bridges of Athens ;
Windsor county, - - -	Mr. Atwood of Barnard, Barney of Chester, Marden of Weathersfield.

On motion of Mr. Fisk of Grand Isle, the senate adjourned.

THURSDAY, OCTOBER 4th, 1888.

Reading of the scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

F. Stewart Stanahan of St. Albans, a senator-elect from the county of Franklin, presented his credentials, received the oath of office and was admitted to his seat.

Mr. Taft introduced a bill entitled

S. 1. An act in amendment of section 2,029 of the Revised Laws of Vermont, relating to judges and registers of probate court.

Which was read the first and second times and referred to the committee on the judiciary.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted joint resolutions as follows :

Joint resolution granting representatives hall to the reunion society of the 17th regiment of Vermont Volunteers ;

Joint resolution granting the use of the hall of the house of representatives to the Vermont Bible Society ;

Joint resolution relating to a joint assembly to receive the message of the retiring Governor.

In the adoption of which the concurrence of the senate is requested.

The house have considered a joint resolution from the senate relating to joint rules.

And have adopted the same in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the use of the hall of the house of representatives be granted to the Vermont Bible Society, Wednesday evening, October 17th, for the anniversary exercises of that society.*

Was read and adopted in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the use of the hall of the house of representatives be granted to the reunion society of the 17th regiment Vermont Volunteers, for an address on the evening of Thursday, October eleventh.

Was read and adopted in concurrence.

The president announced as a committee to nominate the standing committees of the senate :

Senator Hammond of Addison,  
Simonds of Bennington,  
Bates of Caledonia,  
Taft of Chittenden,  
Mansur of Essex,  
Stranahan of Franklin,  
Fisk of Grand Isle,  
Fisk of Lamoille,  
Frary of Orange,  
Stevens of Orleans,  
Briggs of Rutland,  
Jones of Washington,  
Holmes of Windham,  
Johnson of Windsor.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered joint resolutions from the senate as follows :

Joint resolution relating to joint assembly to hear the message of the retiring Governor ;

Joint resolution relating to joint assembly to receive the report of joint canvassing committee to canvass votes for state officers.

And have adopted the same in concurrence.

The hour having arrived for a meeting of the two houses in joint assembly, the senate repaired to the hall of the house.

Having returned therefrom, on motion of Mr. Hammond, the senate adjourned.

## AFTERNOON.

The hour having arrived for a meeting of the two houses in joint assembly, the senate repaired to the hall of the house of representatives.

Having returned therefrom, Mr. Taft offered the following resolution, which was read and adopted :

*Resolved*, That a committee of three senators be appointed to inform the Honorable Urban A. Woodbury of his election as Lieutenant-Governor, and conduct him to the bar of the senate to receive the oath of his office.

The president appointed as the committee under the foregoing resolution :

Senator Taft of Chittenden,  
Perkins of Windsor,  
Simonds of Bennington.

The committee appointed to wait upon the Lieutenant-Governor, appeared at the bar of the senate accompanied by His Honor, Urban A. Woodbury, who received and subscribed the oath of office required by the constitution, and upon taking the chair addressed the senate as follows :

## GENTLEMEN OF THE SENATE :

It affords me pleasure to assume the office to which I have been elected, which requires me to preside over the deliberations of your honorable body.

We meet here to legislate in the interest of all the people of our beloved state ; to make laws that will promote good order, temperance, education and religion ; laws that will tend to develop and foster our varied industries, and most conduce to the general welfare of our people.

The character of this senate is a guaranty that it will be broad in its ideas of legislation, that no useless, unwise or unjust laws will be enacted, that it will entertain no hostility to or undue partiality for any persons or interests.

I am confident that the continuous honorable record made by your predecessors will be perpetuated, and that the result of your labors this session will be a credit to you and your constituency.

May we be industrious, careful and wise.



Without your assistance and forbearance, I cannot hope to preside over your deliberations with any degree of acceptance, but with them I may.

I await the pleasure of the senate.

On motion of Mr. Adams at four o'clock in the afternoon, the senate took a recess until eight o'clock and thirty minutes to morrow morning.

The recess having expired the president *pro tempore*, assumed the chair.

Mr. Fisk of Grand Isle, from the committee to nominate the standing committees of the senate, submitted the following report:

TO THE HONORABLE SENATE:

Your committee appointed by the president consisting of one senator from each county to nominate the standing committees of the senate, beg leave to submit the following report:

ON RULES.

Mr. Bates,  
Smith,  
Stevens.

ON FINANCE.

Mr. Smith,  
Frery,  
Perkins.

ON THE JUDICIARY.

Mr. Johnson,  
Taft,  
Bates,  
Mansur,  
Fisk of Lamoille,  
Butterfield,  
Briggs.

ON CLAIMS.

Mr. Briggs,  
Hammond,  
Matteson,  
Holmes,  
Bell.

## ON EDUCATION.

Mr. Bunker,  
Simonds,  
Fisk of Lamoille.  
Perkins,  
Adams.

## ON AGRICULTURE.

Mr. Chamberlin,  
Higbee,  
Parker.

## ON MANUFACTURES.

Mr. Cramton,  
Stevens,  
Ripley.

## ON ELECTIONS.

Mr. Frary,  
Adams,  
Chamberlin.

## ON MILITARY AFFAIRS.

Mr. Mansur,  
Stranahan,  
Simonds.

## ON RAILROADS.

Mr. Hammond,  
Terrill,  
Holmes,  
Fisk of Lamoille,  
Cramton,  
Stevens,  
King.

## ON HIGHWAYS AND BRIDGES.

Mr. Fisk of Grand Isle,  
Parker,  
Matteson.

## ON BANKS.

Mr. Stranahan,  
Peake,  
King.

ON LAND TAXES.

Mr. Peake,  
Bunker,  
Bell.

ON PRINTING.

Mr. Perkins,  
Fisk of Lamoille,  
Smith.

GENERAL COMMITTEE.

Mr. Taft,  
Jones,  
Johnson,  
Cramton,  
Bates.

ON FEDERAL RELATIONS.

Mr. Simonds,  
Holmes,  
Giddings.

ON STATE PRISON.

Mr. Butterfield,  
Ripley,  
Terrill,

ON INSANE ASYLUM.

Mr. Giddings,  
Higbee,  
Frary.

ON GRAND LIST.

Mr. Jones,  
Hammond,  
Fisk of Grand Isle.

All of which is respectfully submitted,

GEORGE HAMMOND,

*Chairman of the Committee.*

Which was read, and on motion of Mr. Smith the report was adopted, and the nominations of the several committees were confirmed.

On motion of Mr. Mansur, the senate adjourned.

FRIDAY OCTOBER 5TH, 1888.

Reading of the scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

Mr. Holmes offered the following resolution, which was read and adopted :

*Resolved*, That when the senate adjourns this morning, it be to assemble again at two o'clock Monday afternoon, October 8th.

The president laid before the senate the following communication :

STATE OF VERMONT.

EXECUTIVE CHAMBER,  
MONTPELIER, October 5, 1888. }

TO THE PRESIDENT OF THE SENATE :

SIR:—I have the honor to inform the senate that I have appointed Fred Arthur Howland, secretary of civil and military affairs.

WILLIAM P. DILLINGHAM.

On motion of Mr. Johnson, the senate adjourned.

MONDAY, OCTOBER 8, 1888.

The senate convened at two o'clock in the afternoon pursuant to adjournment.

Reading of scriptures and prayer by the chaplain.

Journal of Friday read and approved.

The president announced the appointment of William A. Lord of Montpelier, official reporter of the senate.

The president announced the appointment of the following joint standing committee on joint rules on the part of the senate :

Senator Fisk of Lamoille,  
Taft of Chittenden.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 4th at eleven o'clock A. M., to receive the message of the retiring Governor, was read and on motion of Mr. Bates, ordered to lie.*

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted joint resolutions as follows :

Joint resolution granting the use of the hall of the house of representatives for an address by Senator Justin S. Morrill ;

Joint resolution relating to committee to canvass votes for county officers and justices of the peace ;

Joint resolution providing for a joint committee to canvass votes for representatives in congress ;

Joint resolution granting the use of the hall of the house of representatives to the surviving soldiers of the 4th Vermont regiment for their first reunion ;

Joint resolution providing for a joint special committee on state and court expenses ;

Joint resolution relating to the appointment of a joint committee on matters pertaining to the subject of temperance.

In the adoption of which the concurrence of the senate is requested.

Joint resolutions from the house as follows :

*Resolved by the Senate and House of Representatives*, That the use of the hall of the house of representatives be granted for Wednesday evening, October 10th, for the purpose of an address by Senator Justin S. Morrill, in regard to the State Agricultural College.

*Resolved by the Senate and House of Representatives*, That the use of the hall of the house of representatives be granted for the surviving soldiers of the 4th Vermont regiment on the evening of October 19th, 1888, for their first reunion :

*Resolved by the Senate and House of Representatives*, That a joint committee consisting of one senator and three representatives from each county be appointed upon nomination of the president of the senate and speaker of the house of representatives, respectively, to canvass votes given in the several congressional districts, and declare those persons having a majority of all the votes cast in said districts, respectively, to be elected representatives to represent this state in the congress of the United States.

*Resolved by the Senate and House of Representatives*, That a joint committee to consist of one senator and three representatives from each county, be appointed by the presiding officer of each house, respectively, to receive and examine the certificates of the votes given in each county for assistant judges of the county court, sheriff, high bailiff, state's attorney, judges of probate for each probate district, and county commissioner for the two years next ensuing ; also to receive and examine the certificates of the votes given in the several towns for justices of the peace for the two years next ensuing, to ascertain and declare the persons duly elected to said offices, and to report the said election to the general assembly agreeably to the provisions of the constitution.

*Resolved by the Senate and House of Representatives*, That a joint special committee consisting of three senators and five representatives be appointed by the president of the senate and speaker of the house, respectively, to be called the joint committee on temperance, to whom shall be referred all bills, petitions and other papers relating to temperance.

*Resolved by the Senate and House of Representatives*, That a joint special committee of three members of the senate and five members of the house, shall be appointed by the presiding officers of the two houses, respectively, to whom may be referred all matters relating to state and court expenses, to be called the joint special committee on state and court expenses.

Were severally read and adopted in concurrence.

The president announced as the committee on the part of the

senate to canvass votes for members of congress, the following named senators :

FIRST CONGRESSIONAL DISTRICT.

Addison county	-	-	-	-	Senator Hammond,
Bennington county,	-	-	-	-	" Simonds,
Chittenden county,	-	-	-	-	" Terrill,
Franklin county,	-	-	-	-	" Giddings,
Grand Isle county,	-	-	-	-	" Fisk,
Lamoille county,	-	-	-	-	" Fisk,
Rutland county,	-	-	-	-	" Ripley.

SECOND CONGRESSIONAL DISTRICT.

Caledonia county,	-	-	-	-	Senator Bates,
Essex county,	-	-	-	-	" Mansur,
Orange county,	-	-	-	-	" Frary,
Orleans county,	-	-	-	-	" Chamberlin,
Washington county,	-	-	-	-	" Smith,
Windham county,	-	-	-	-	" Butterfield,
Windsor county,	-	-	-	-	" Johnson.

The president also announced as the committee on the part of the senate to canvass votes for county and probate officers and justices of the peace :

Addison county,	-	-	-	-	Senator Peake,
Bennington county,	-	-	-	-	" Matteson,
Caledonia county,	-	-	-	-	" Bunker,
Chittenden county,	-	-	-	-	" Higbee,
Essex county,	-	-	-	-	" Mansur,
Franklin county,	-	-	-	-	" Bell,
Grand Isle county,	-	-	-	-	" Fisk,
Lamoille county,	-	-	-	-	" Fisk,
Orange county,	-	-	-	-	" King,
Orleans county,	-	-	-	-	" Stevens,
Rutland county,	-	-	-	-	" Adams,
Washington county,	-	-	-	-	" Jones,
Windham county,	-	-	-	-	" Holmes,
Windsor county,	-	-	-	-	" Parker.

On motion of Mr. Fisk of Lamoille, the senate adjourned.

TUESDAY, OCTOBER 9, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Monday read and approved.

Millard T. King of Tunbridge, a senator-elect from the county of Orange, presented his credentials, received the oath of office and was admitted to his seat.

The prescribed oath was administered to the canvassing committee appointed to canvass votes for members of congress.

Also the canvassing committee to canvass votes for county officers, judges of probate, and justices of the peace were duly sworn.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have appointed on their part as joint standing committee on joint rules,

Mr. Haylett of Moretown,  
Robinson of Brighton,  
Scott of Plymouth.

Mr. Bates from the committee on rules submitted the following report :

TO THE HONORABLE SENATE NOW IN SESSION :

The senate committee on rules respectfully reports and recommends the adoption by the Senate of the following as its rules for the session of 1888, viz. :

## RULES AND ORDERS OF THE SENATE.

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### 1.

The credentials of senators shall be presented to the secretary or assistant secretary previous to ten o'clock in the morning of the first Wednesday of October, at which time the senate shall be called to order. The names of the senators shall be called, and



when a quorum shall have taken their seats, they shall take the following oath, viz: "I, ———, senator of the county of ———, in the State of Vermont, October session, 18—, do solemnly swear that I will be faithful and true to the state of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the constitution or government thereof as established by convention. So help me God. And I also solemnly swear that, as a member of this senate, I will not propose or assent to any bill, vote or resolution which shall appear to me injurious to the people, nor do or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges, as declared by the constitution of this state; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and abilities. So help me God. And I also solemnly swear (or affirm) that I did not at the time of my election to this body, and that I do not now, hold any office of profit or trust under the authority of congress. So help me God." Whereupon they shall, on nomination of the president, appoint a *canvassing committee*, consisting of one senator from each county, to join such committee as the house of representatives may appoint, whose duty shall be to receive, sort and count the votes for governor, lieutenant-governor, treasurer, secretary of state and auditor of accounts; and shall, in like manner, appoint a committee of one senator from each county to join such committee as the house of representatives may appoint, whose duty shall be to canvass the votes for county and probate officers, and make report thereof to the joint assembly of both houses.

## 2.

The senate shall meet every day (Sundays excepted), at ten o'clock in the morning, and at two o'clock in the afternoon, unless otherwise specially ordered.

## 3.

The president having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all errors therein corrected.

## 4.

In case no quorum shall assemble within fifteen minutes after the time to which the senate was adjourned, those present shall have the power to send the sergeant-at-arms, or other officer, after the absentees, and compel their attendance.

## 5.

The senate shall biennially, within the first four days of actual sitting, elect, by ballot, a secretary, an assistant secretary and president *pro tempore*, who shall be severally sworn to the faith-

ful discharge of their duties, and shall hold their offices until superseded by a new election. The assistant secretary shall be *ex officio* engrossing clerk. The president *pro tempore* so elected shall preside in the absence of the president.

## 6.

Whenever the senate shall assemble, according to adjournment, or at the commencement of a session, and the president and president *pro tempore* shall be absent, it shall be the duty of the secretary, if present, if not, of a senator, to call to order, and the senators present, if a quorum, shall by ballot elect a president *pro tempore*, who shall preside until the return of the president or the president *pro tempore* named in rule 5.

## 7.

No senator shall be absent without leave, unless he be sick, or otherwise necessarily detained.

## 8.

No senator shall audibly speak to another, or otherwise interrupt the business of the senate, while the journal or other public papers are being read, or while a senator is orderly speaking in debate.

## 9.

Every senator when he speaks, shall, standing in his place, address the president, and when he has finished shall sit down.

## 10.

No senator shall speak more than twice on the same question, without leave of the senate, and senators who have once spoken, shall not again be entitled to the floor (except for the purpose of explanation), to the exclusion of another who has not spoken.

## 11.

In all cases, the senator first arising and addressing the president (subject to the restriction of Rule 10) shall be entitled to the floor, and when two or more arise at the same time, the president shall name the one who is to speak.

## 12.

When a senator shall be called to order he shall sit down; and every question of order shall be decided by the president without debate, subject to an appeal to the senate.

## 13.

If a senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing by the senator calling to order, that the president may be better enabled to judge of the matter.

## 14.

The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials, and remonstrances, motions, resolutions and the introduction of bills; after which the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in receiving and disposing of reports of committees and in completing the business of the morning hour; at the expiration of which, the senate will again take up the orders of the day.

## 15.

Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the senate when the call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration he shall be further liable to give additional statements of facts or other explanations, in answer to the call of any senator.

## 16.

The proceedings of the senate, except when acting as in committee of the whole, embracing the titles of bills and such parts thereof as may be affected by the proposed amendments, and also the names of the senators, and the votes which they give on every question decided by yeas and nays, shall be, by the secretary, accurately and concisely inserted in the journal.

## 17.

The senate shall at each biennial session appoint the following committees, to consist of three members each, except that the committee on the judiciary and on railroads shall consist of seven members each, and the committees on claims, on education, and general committee shall consist of five members each :—

A Committee on Rules.

A Committee on Finance.

A Committee on the Judiciary.

A Committee on Claims.

A Committee on Education.

A Committee on Agriculture.  
A Committee on Manufactures.  
A Committee on Elections.  
A Committee on Military Affairs.  
A Committee on Railroads.  
A Committee on Highways and Bridges.  
A Committee on Banks.  
A Committee on Land Taxes.  
A Committee on Printing.  
A General Committee.  
A Committee on Federal Relations.  
A Committee on the State Prison.  
A Committee on the Insane Asylum.  
A Committee on Grand List.

## 18.

The subject matter of each and every bill and resolution shall be briefly indicated in its title by the mover ; and every bill and resolution shall be properly folded, and the name of the mover legibly written at the bottom of the same, before its introduction.

## 19.

All bills after the second reading, and all petitions, memorials, remonstrances, resolutions and other papers, calling for legislative action (except such as have been reported by a committee), no objection being made, shall be referred by the president to appropriate committees.

## 20.

Before any resolution, any petition, or other paper addressed to the senate, shall be received and read, whether the same shall be introduced by the president or a senator, the title shall be fairly endorsed thereon, and a brief statement of its objects or contents shall be made by the introducer.

## 21.

Every motion shall be reduced to writing by the mover, if required thereto by the president or a senator, and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

## 22.

Every bill shall receive three readings before it is passed ; the president shall give notice at each reading whether it be the first

second, or third ; the last of which reading of public bills shall be at least twenty-four hours after the first reading, unless the senate unanimously direct otherwise ; provided that the bills may be read the second time by their titles. Resolutions requiring the approbation and signature of the Governor shall be treated in all respects as bills ; and the third reading of all bills of a public nature shall be ordered for some particular day. Each and every nomination made by the Governor, to be confirmed by the senate, shall lie over at least twenty-four hours between such nomination and the confirmation thereof.

## 23.

On motion of a senator, public bills, after the second reading, may be referred to committee of the whole.

## 24.

No amendment to a bill originating in the senate shall be received at the third reading, but the bill may be committed to a senator for amendment at any time before its passage.

## 25.

When a question is pending, no motion shall be received but—

To adjourn ;

To adjourn to a day certain, or that when the senate adjourn it shall be to a day certain ;

To take a recess ;

To proceed to the consideration of executive business ;

To lay on the table ;

To postpone indefinitely ;

To postpone to a day certain ;

To commit ;

To amend ;

Which several motions shall have precedence as they stand arranged, and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

## 26.

A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order.

## 27.

If the question in debate contains several points, the same may be divided on the demand of a senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion to simply strike out, nor shall the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

## 28.

In filling blanks, the largest sum and the longest time shall be first in order.

## 29.

When the reading of a paper is called for, and the same is objected to by a senator, the question shall be determined by a vote of the senate.

## 30.

The yeas and nays shall be taken on a call of a senator, and every senator present shall vote unless excused by the senate; but no senator shall be compelled to vote who was absent when the question was stated by the president.

## 31.

No senator in the minority, nor one who did not vote on the decision of the question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order unless made before the close of the next day of actual sitting of the senate after that in which the vote was taken, and before the bill, resolution, report, amendment, address, or motion upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the senate.

## 32.

On all questions, in the decision of which a simple majority is required, when the senate is equally divided, the secretary shall take the casting vote of the president. In all such cases a motion for reconsideration, if made in time, shall be in order from any senator who voted on the question.

## 33.

The president shall have the right to call upon any senator to discharge the duties of the chair, whenever he shall find it necessary temporarily to retire; but such substitution shall not extend beyond more than one adjournment.

34.

The senate having taken the final vote on any question, the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration ; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

35.

No proposition to amend the rules of the senate or the joint rules of both houses, shall be acted on until the same shall have been before the senate at least twenty-four hours ; and no rule of the senate shall be suspended except by the vote of three-fourths of the members present.

36.

Messages shall be sent to the house of representatives by the secretary or assistant secretary.

37.

Reporters may be placed on the floor of the senate, under the direction of the secretary, with the approbation of the president.

38.

No person shall be admitted within the lobby of the senate chamber except the Governor, treasurer of the state, secretary of state, auditor of accounts, members of the other house, judges of the supreme court, senators and representatives in congress, ex-governors and lieutenant-governors, ex-judges of the supreme court, ex-senators of the state senate, district judge, circuit judge, and attorney of the United States, members of other state legislatures, clerk and assistant clerk of the house of representatives, and the secretary of civil and military affairs, and such ladies and gentlemen as the president or a senator may introduce.

39.

When in session the senators shall sit with their heads uncovered.

40.

Upon any disorderly conduct in the gallery, the president may order the same to be cleared.

41.

Whenever a bill or resolution is laid on the table, by order of the senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the chair, and presented for the consideration of the senate, without a call or order on the subject.

## 42.

There shall be one door-keeper, one assistant door-keeper, and two messengers of the senate.

## CHOICE OF SEATS.

## 43.

At nine o'clock on the morning of the first day of the session, and before the session shall be called to order, the secretary shall place in a box prepared for the purpose, fourteen ballots, designating by name the several counties in the state, and shall proceed to draw therefrom, impartially, one ballot at a time, until all are drawn. And as each ballot is drawn, the senator or senators from the county designated by such ballot, shall, personally, if present, or may by proxy, if absent, select his or their seat or seats. If any senator or senators, from any county so drawn, should not be present, either personally or by proxy, at the time of such drawing, the county next drawn shall have preference.

## 44.

After the second reading of any senate bill of a public character, the secretary shall cause not less than three hundred copies of the same to be forthwith printed for the use of the general assembly, unless already printed, and he shall furnish five copies thereof to the librarian.

HENRY C. BATES,

For the Committee.

Which report was read and on motion of Mr. Butterfield ordered to lie.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Mansur,

S. 2. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators.

To the committee on the judiciary.

By Mr. Johnson,

S. 3. An act to amend section 2271 of the Revised Laws, relating to appeals from commissioners.

To the committee on the judiciary.

By Mr. Simonds,

S. 4. An act relating to the dedication of the Bennington battle monument.



To the committee on military affairs.

By Mr. Mansur,

S. 5. An act appropriating a certain sum for the support of the soldiers' home.

To the committee on military affairs.

By Mr. Giddings,

S. 6. An act relating to the trustees of the Vermont reform school.

To the joint committee on the reform school.

Mr. Taft offered the following preamble and joint resolutions :

WHEREAS, the congress of the United States has passed an act approved by the president March 2, 1887, entitled an act to establish agricultural experiment stations in connection with the colleges established in the several states under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto ; and

WHEREAS, It is provided in section nine of the act aforesaid, that the grants of moneys authorized by this act are made subject to the legislative assent of the several states and territories to the purpose of said grants ; Therefore be it

*Resolved by the Senate and House of Representatives,* That the assent of the general assembly of the state of Vermont be and hereby is given to the purposes of the grants made in said act, and that the action hitherto taken by the trustees of the university of Vermont and state agricultural college is hereby ratified and confirmed, and the said trustees are hereby authorized to continue to conduct the said agricultural experiment station in accordance with the terms and conditions expressed in the act of congress aforesaid.

Which was read and adopted on the part of the senate.

A message from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered the joint report of the joint committee on joint rules, and have, on their part, adopted the same.

Mr. Taft offered the following joint resolution :

*Resolved by the Senate and the House of Representatives,* That the committee on the part of the senate, together with the committee on the part of the house, on state prison, be instructed to visit the state prison, examine into its management and sanitary condition, also to inquire and report by bill, or otherwise, any

needed repairs and improvements in and about the same, and recommend an appropriation if any is needed.

Which was read and adopted on the part of the senate.

Mr. Fisk of Lamoille, from the committee on joint rules, submitted the following report :

SENATE CHAMBER, }  
October 9th, 1888. }

TO THE HONORABLE SENATE NOW IN SESSION :

The committee on joint rules report that they recommend the adoption of the following as the

## JOINT RULES

OF THE

SENATE AND HOUSE OF REPRESENTATIVES :

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### 1.

A joint assembly shall be formed by a union of the senate and house of representatives in the hall of the latter, at such time and for such specific purpose only as may be expressed in a concurrent resolution of both houses ; and may adjourn from time to time during the session of the general assembly. The president of the senate shall in all cases preside over, and the secretary of state, or in his absence the secretary of the senate shall officiate as clerk ; and the rules of the senate, as far as applicable, shall be observed in regulating the proceedings of every joint assembly.

### 2.

The proceedings of every joint assembly, including the resolution ordering the same, shall be recorded by the clerk in a book kept for that purpose, which shall be preserved in the office of the secretary of state, a copy of which shall be furnished to the Governor by the secretary of state, and shall also be published with the journal of the proceedings of the senate.

### 3.

At the commencement of each session the following joint standing committee, consisting of two senators and three representatives, shall be appointed by the presiding officers of the two houses respectively, to wit :

A Committee on Joint Rules.

Also the following joint standing committees, to consist of three senators and five representatives, to wit:

A Committee on the Library.

A Committee on the House of Correction.

A Committee on the Reform School.

A Committee on Game and Fisheries.

A Committee on State and Court Expenses.

4.

A joint committee of three senators and three representatives shall be appointed by the presiding officers of the two houses, respectively, to whom may be referred all documents transmitted by the Governor for the use of the general assembly, who shall report thereon to that house from which they were received.

5.

The committee of the senate and house of representatives, to whom the same subject matter shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both houses, as they may think expedient.

6.

In every case of disagreement between the senate and house of representatives, if either shall request a conference and appoint a committee for that purpose, and the other house shall also appoint a committee on its part, such committees shall meet at a convenient hour, to be agreed upon by their chairmen, in the conference-room, and state to each other, verbally or in writing, the reasons of each house for its vote on the subject matter of disagreement, confer freely thereon, and make a report of their doings to their respective houses as soon as may be.

7.

Committees of conference shall consist of an equal number from each house, and shall return the papers referred to them to that house which last voted upon the subject matter of disagreement. The report of the committee of conference cannot be amended or altered, as that of other committees may be. In all cases of conference asked after a vote of disagreement, the conferees of the house asking it are to leave the papers with the conferees of the other.

8.

After each house shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

## 9.

When bills and resolutions are on their passage between the two houses, they shall be verified by the attestation of the secretary or clerk of each house, respectively, and all bills after their third reading has been ordered, and before being read the third time, shall be duly engrossed, if the house in which they originated so order; and all joint resolutions shall be fairly engrossed, after their passage in the house in which they originated, and shall, when finally passed, be signed by the presiding officers of both houses, in the same manner as bills.

## 10.

When a bill or resolution which shall have passed one house, is rejected in the other, notice thereof shall be given to the house in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to and left in the custody of the house which first acted on them.

## 11.

Each house shall transmit to the other all papers on which any bill or resolution shall be founded; and should any bill or resolution pass both houses the same papers shall be delivered to the Governor.

## 12.

No bill which shall have passed one house, shall be sent for concurrence to the other on the last day of the session.

## 13.

A two thirds vote of all present shall be required for the suspension of any joint rule.

All of which is respectfully submitted.

H. C. FISK,	}	<i>Committee on the part of the Senate.</i>
ELIHU B. TAFT,		

JAMES HAYLETT,	}	<i>Committee on the part of the House.</i>
GEO. S. ROBINSON,		
CHAS. H. SCOTT,		

Which report was read and accepted, and the rules adopted as the joint rules of the senate and house for the session of 1888.

Mr. Simonds moved that the senate reconsider its vote adopting on the part of the senate, joint resolution relating to the agricultural experiment station.

And the same was agreed to.

Thereupon on motion of Mr. Butterfield, the resolution was referred to the committee on agriculture.

The president announced the appointment of the following joint standing committees on the part of the senate :

ON LIBRARY.

Senator Higbee of Chittenden,  
King of Orange,  
Matteson of Bennington.

ON HOUSE OF CORRECTION.

Senator Adams of Rutland,  
Perkins of Windsor,  
Chamberlin of Orleans.

ON STATE AND COURT EXPENSES.

Senator Parker of Windsor,  
Briggs of Rutland,  
Taft of Chittenden.

ON REFORM SCHOOL.

Senator Holmes of Windham,  
Jones of Washington,  
Mansur of Essex.

ON GAME AND FISHERIES.

Senator Stevens of Orleans,  
Smith of Washington,  
Peake of Addison.

UNDER THE FOURTH JOINT RULE.

Senator King of Orange,  
Matteson of Bennington,  
Parker of Windsor.

Also joint special committee, under joint resolution relating to temperance legislation, on the part of the senate :

Senator Fisk of Lamoille,  
Bunker of Caledonia,  
Johnson of Windsor.

On motion of Senator Chamberlin the senate adjourned.

## AFTERNOON.

Mr. Butterfield moved that the report of the committee on senate rules be taken from the table.

And the same was agreed to.

Thereupon the report of the committee was accepted, and the rules recommended were adopted as the rules of the senate for the present session.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Stranahan,

S. 7. An act relating to the salary of the adjutant and inspector general and quartermaster general.

To the committee on military affairs.

By Mr. Bates,

S. 8. An act amending section 816 of the Revised Laws, relating to court reporters.

To the committee on the judiciary.

On motion of Mr. Bates, the senate adjourned.

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WEDNESDAY, OCTOBER 10th, 1888.

Reading of the scriptures and prayer by the chaplain.

Journal of Tuesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Mansur,

S. 9. An act relating to the legal residence of the beneficiaries of the soldiers' home.

To the committee on elections.

By Mr. Higbee,

S. 10. An act to regulate the holding of caucuses or public meetings of the qualified voters of cities and towns for political purposes.

To the general committee.

By Mr. Simonds,

S. 11. An act in amendment to chapter 22 of the Revised Laws relating to taxation.

To the committee on the grand list.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part appointed the following named gentlemen as members of the committee to canvass votes for county officers, judges of probate, and justices of the peace :

Addison county, - - -	Mr. Chamberlin of Goshen, Sholes of Orwell, Huntley of Ripton ;
Bennington county, - - -	Mr. Matteson of Glastenbury, Sprague of Readsboro, Rooney of Woodford ;
Caledonia county, - - -	Mr. Ford of Kirby, Johnston of Ryegate, Campbell of Sutton ;
Chittenden county, - - -	Mr. Varney of Charlotte, Patrick of Hinesburgh, Randall of Huntington ;
Essex county, - - -	Mr. Silver of Bloomfield, Allbee of Granby, Rowe of Lemington ;
Franklin county, - - -	Mr. Dow of Enosburgh, Haile of Montgomery, Stebbins of Sheldon ;
Grand Isle county, - - -	Mr. Gordon of Grand Isle, Fleury of Isle La Motte, Phelps of South Hero ;
Lamoille county, - - -	Mr. Fullington of Cambridge, Newton of Eden, Cheney of Hyde Park ;

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Orange county, - - -	Mr. Fulton of Corinth, Moore of Fairlee, Camp of Orange ;
Orleans county, - - -	Mr. Sweeney of Charleston, Seaver of Craftsbury, Trumpass of Westfield ;
Rutland county, - - -	Mr. Otis of Danby, Dikeman of Hubbardton, Shippee of Mendon ;
Washington county, - - -	Mr. Leland of Berlin, Ward of Duxbury, Ladd of Middlesex ;
Windham county, - - -	Mr. Jones of Dover, Wheat of Putney, Knight of Stratton ;
Windsor county, - - -	Mr. Sherwin of Baltimore, Marks of Bethel, Keyes of Reading.

The house have also, on their\*part, appointed the following named gentlemen as members of the committee to canvass votes for members of congress :

FIRST CONGRESSIONAL DISTRICT.

Addison county, - - -	Mr. Briggs of Granville, Weeks of Salisbury, Snedden of Waltham ;
Bennington county, - - -	Mr. Lyon of Peru, Farrington of Searsburgh, Lesure of Stamford ;
Chittenden county, - - -	Mr. Barstow of South Burlington, Woodworth of Underhill, Whipple of Westford ;
Franklin county, - - -	Mr. Marvin of Berkshire, Hunt of Fairfax, Baker, of Richford ;
Grand Isle county, - - -	Mr. McGregor of Alburgh, Fleury of Isle La Motte, Hathaway of North Hero ;
Lamoille county, - - -	Mr. Pearl of Johnson ; LeBarron of Morristown, Parker of Wolcott ;
Rutland county, - - -	Mr. King of Mount Tabor, Ellis of Pittsford, Jones of Shrewsbury.



## SECOND CONGRESSIONAL DISTRICT.

Caledonia county, - - -	Mr. Silsby of Burke, Glover of Groton, Carpenter of Waterford ;
Essex county, - - -	Mr. Walbridge of Concord, Humphrey of East Haven, Coyne of Maidstone ;
Orange county, - - -	Mr. Emerson of Thetford, Chapman of Tunbridge, Richardson of Washington ;
Orleans county, - - -	Mr. Tolman of Greensboro, Fletcher of Holland, Bartlett of Morgan ;
Washington county, - -	Mr. Perry of Plainfield, Fiske of Roxbury, Green of Warren ;
Windham county, - - -	Mr. Fuller of Whitingham, Harris of Windham, Goodwillie of Vernon ;
Windsor county, - - -	Mr. Lockwood of Ludlow, Loveland of Norwich, Emery of Sharon.

Mr. Bates offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly, at three o'clock P. M., on Thursday, October 11, 1888, to hear the report of the joint committee appointed to canvass votes for representatives in congress.

Which was read and adopted on the part of the senate.

Mr. Adams offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the joint standing committee on the house of correction be instructed to visit the institution of the state at Rutland, inquire into its sanitary condition and practical working, and report to their respective houses in such form as said committee deems best.

Which was read and adopted on the part of the senate.

On motion of Mr. Bunker, the senate adjourned.

## AFTERNOON.

Mr. Bates introduced a bill entitled,

S. 12. An act establishing the salaries of county clerks and repealing sections 4500, 4501 and 4502 of the Revised Laws.

Which was read the first and second times and referred to the committee on the judiciary.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part appointed as joint standing committees :

## ON THE LIBRARY.

Mr. Hathaway of North Hero,  
Walker of Grafton,  
Field of Rutland,  
Emerson of Thetford,  
Fisk of Woodbury.

## ON THE HOUSE OF CORRECTION.

Mr. Tolman of Greensboro,  
Warren of Newfane,  
Mortrom of West Rutland,  
Miller of Hartland,  
Lyon of Peru.

## ON THE REFORM SCHOOL.

Mr. Perkins of Bakersfield,  
McCuen of Vergennes,  
Somers of Irasburgh,  
Goodwillie of Vernon,  
Pearl of Johnson.

## ON GAME AND FISHERIES.

Mr. Paine of Jay,  
Cheney of Hyde Park,  
Ford of Kirby,  
Paul of Wells,  
Church of West Fairlee.

## ON STATE AND COURT EXPENSES.

Mr. Mann of Wilmington,  
Sherwin of Jamaica,  
Dole of Northfield,  
Southworth of Middletown Springs,  
Keyes of Reading.

## UNDER THE FOURTH JOINT RULE.

Mr. Miller of Dummerston,  
Snedden of Waltham,  
Shippee of Mendon.

The house have also appointed on their part, as the joint special committee on temperance :

Mr. Holton of Brattleboro,  
Parker of Peacham,  
Lynde of Williamstown,  
Lincoln of Lyndon,  
Hale of West Windsor.

The house have considered a joint resolution from the senate in regard to visiting the state prison by the committees of the senate and house, and have adopted the same in concurrence.

Mr. Bunker offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the senate and house of representatives meet in joint assembly on Friday, October 12th, at two o'clock and thirty minutes in the afternoon, to hear the report of the joint canvassing committee appointed to canvass votes for county and probate officers and justices of the peace.*

Which was read and adopted on the part of the senate.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered joint resolutions from the senate as follows :

Joint resolution providing for joint assembly to hear the report of joint committee to canvass votes for representatives in congress ;

Joint resolution providing for a visit to the house of correction by joint committee.

And have adopted the same in concurrence.

The house have on their part adopted a joint resolution granting the use of the hall of the house of representatives to Rev. G. W. Perry, state geologist and curator of the cabinet, October 18, 1888.

In the adoption of which the concurrence of the senate is requested.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the use of the hall of the house of representatives be granted to Rev. G. W. Perry, state geologist and curator of the cabinet, on Thursday evening, October 18th, for an illustrated lecture before the members of the general assembly, on the marbles of Vermont.*

Was read and adopted in concurrence.

On motion of Mr. Briggs, the senate adjourned.

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THURSDAY, OCTOBER 11th, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

Mr. Bates moved that the senate reconsider its vote adopting in concurrence joint resolution from the house, granting the use of the hall of the house of representatives to Rev. G. W. Perry, state geologist.

And the same was agreed to.

Mr. Bates moved that the senate propose to the house to amend the resolution by striking out in line five the words "Thursday evening, October 18th," and inserting in lieu thereof the words, *Wednesday evening, October 24th.*

Which was agreed to.

Thereupon the resolution was adopted in concurrence with proposal of amendment.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Mansur,

S. 13. An act to complete monuments for Gettysburgh.  
To the committee on finance.

By Mr. Parker,

S. 14. An act relating to the repairing of highways and bridges.

To the committee on highways and bridges.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed a bill entitled,

H. 26. An act to enable the town of Brattleboro to purchase the toll bridge of the Hinsdale Bridge Company, and to build a bridge across Connecticut River.

In the passage of which the concurrence of the senate is requested.

A house bill entitled,

H. 26. An act to enable the town of Brattleboro to purchase the toll bridge of the Hinsdale Bridge Company, and to build a bridge across the Connecticut River.

Was read the first and second times and referred to the committee on highways and bridges.

Mr. Johnson, from the committee on the judiciary, to which was referred a bill entitled,

S. 1. An act in amendment of section 2029 of the Revised Laws, relating to the judges and registers of probate courts,

Reported in favor of the passage of the bill.

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Simonds, from the committee on military affairs, to which was referred a bill entitled,

S. 4. An act relating to the dedication of the Bennington battle monument,

Reported recommending that the bill be passed when amended as follows :

*First*, by inserting after the word "monument" in line six, section one, the words, *and celebration*.

*Second*, by adding at the end of section two the words, *and celebration*.

*Third*, by adding at the end of section three the words, *and celebration*.

*Fourth*, by inserting after the word "monument" in line five, section four the words *and celebration*.

*Fifth*, by inserting after the word "dedication" in line six, section four the words, *and celebration*.

Also by adding to the title the words, *and centennial celebration of the admission of Vermont into the Union.*

Which several proposals of amendment were agreed to, and the bill was ordered to be read the third time to-morrow morning.

On motion of Mr. Hammond, the senate adjourned.

### AFTERNOON.

Mr. Stranahan (by request) introduced a bill entitled,

S. 15. An act in relation to the enlargement of the limits of burying grounds of cemetery associations.

Which was read the first and second times and referred to the general committee.

Mr. Fisk of Grand Isle, from the committee on highways and bridges, to which was referred a house bill entitled,

H. 26. An act to enable the town of Brattleboro to purchase the toll bridge of the Hinsdale Bridge Company and to build a bridge across Connecticut River,

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time, and under a suspension of the rules, read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposal of amendment to joint resolution granting the use of the hall of the house of representatives to Rev. G. W. Perry, state geologist and curator of the cabinet.

And have concurred therein.

The house have considered a joint resolution from the senate providing for a joint assembly to hear the report of the joint canvassing committee appointed to canvass votes for county and probate officers and justices of the peace.

And have adopted the same in concurrence.

The house have on their part adopted a joint resolution granting the use of the hall of the house of representatives to E. R. Campbell, M. D., for an address.

In the adoption of which the concurrence of the senate is requested.

Mr. Holmes, from the joint standing committee on the reform school, to which was referred a bill entitled,

S. 6. An act relating to the trustees of the Vermont reform school,

Reported recommending that the bill be passed when amended by filling the blank in section two with the words, *one hundred dollars*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow morning.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives*, That the use of the hall of the house of representatives be granted for an address by E. R. Campbell, M. D., of Bellows Falls, before the Vermont Medical Society, at four o'clock and thirty minutes this afternoon.

Was read and adopted in concurrence.

The hour having arrived for a meeting of the two houses in joint assembly, the senate repaired to the hall of the house of representatives.

Having returned therefrom, on motion of Mr. Stranahan the senate adjourned.

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FRIADY, OCTOBER 12th, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Johnson,

S. 16. An act to amend section 899 of the Revised Laws, relating to supreme and county courts.

To the committee on the judiciary.

By Mr. Briggs,

S. 17. An act to amend section six of number 77, session laws of 1854, entitled an act to incorporate the Vermont Episcopal institute.

To the committee on the grand list.

Bills of the following titles were severally read the third time and passed :

S. 1. An act in amendment of section 2029 of the Revised Laws of Vermont, relating to judges and registers of probate courts.

S. 6. An act relating to the trustees of the Vermont reform school.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to request the senate to return to the possession of the house, joint resolution providing for a joint assembly to hear the report of the joint canvassing committee to canvass votes for county and probate officers and justices of the peace.

The Governor has informed the house that he has approved and signed a bill originating in the house entitled,

H. 26. An act to enable the town of Brattleboro to purchase the toll bridge of the Hinsdale Bridge Company, and to build a bridge across Connecticut River.

The house have on their part adopted joint resolutions as follows :

Joint resolution regarding committee on insane ;

Joint resolution relating to the election of judges of the supreme court.

In the adoption of which the concurrence of the senate is requested.

A bill entitled,

S. 4. . An act relating to the dedication of the Bennington battle monument and centennial celebration of the admission of Vermont into the Union.

Was read the third time, and on motion of Mr. Simonds ordered to lie.

Mr. Adams offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That so much of the Governor's message as relates to provision for the convict and criminal insane, together with the special report of the commission appointed under joint resolution No. 121 of 1886, on*



the same subject, be referred to a special joint committee of three senators and five representatives, to be appointed by the presiding officers of the senate and house, respectively, and that this committee be instructed to prepare and submit to the general assembly for its action, such bill or measure as said committee may deem best.

Which was read and adopted on the part of the senate.

The secretary was directed to return to the possession of the house, agreeably to their request, a joint resolution providing for a joint assembly to hear the report of the joint canvassing committee to canvass votes for county and probate officers and justices of the peace.

On motion of Mr. Simonds a bill entitled,

S. 4. An act relating to the dedication of the Bennington battle monument and centennial celebration of the admission of Vermont into the union, was taken from the table.

Mr. Mansur moved that the bill be committed to a senator to amend by striking out in section four, line seven, after the word "aggregate" the words "the amount" and inserting in lieu thereof the words, *the sum of ten thousand dollars to be.*

Which was disagreed to.

Thereupon the bill was passed.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have considered joint resolutions from the senate providing for a joint assembly to hear the report of the joint canvassing committee to canvass votes for county and probate officers and justices of the peace.

And have adopted the same in concurrence, with proposals of amendment. In the adoption of which the concurrence of the senate is requested.

A joint resolution providing for a joint assembly to hear the report of the joint canvassing committee to canvass votes for county and probate officers and justices of the peace.

Was taken up, and having been returned from the house with proposals of amendment as follows:

By striking out the words, "two o'clock and thirty minutes in the afternoon," and inserting in lieu thereof the words, *eleven o'clock in the forenoon.*

Which proposal of amendment was concurred in.

The hour having arrived for a meeting of the two houses in joint assembly the senate repaired to the hall of the house.

Having returned therefrom a joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly at half past two o'clock in the afternoon, on Thursday, the 18th day of October, 1888, for the purpose of electing a chief judge and associate judges of the supreme court.

Was read and on motion of Mr. Butterfield ordered to lie.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the committee on the insane asylum of the senate and the committee on the insane of the house, be and hereby are directed to visit the insane asylums at Brattleboro and Burlington and examine into their condition and government, also such other places as in the judgement of the committee may seem advisable in order to make further investigations in regard to the recommendations made in the report of the commissioners on the subject of the convict and criminal insane, and report by bill or otherwise.

Was read and adopted in concurrence.

Mr. Adams moved that the senate do now adjourn,

And the same was disagreed to.

Mr. Frary from the committee on elections, to which was referred a bill entitled,

S. 9. An act relating to the legal residence of the beneficiaries of the soldiers' home.

Reported in favor of the passage of the bill, and on motion of Mr. Mansur the bill was ordered to lie.

Mr. Chamberlin from the committee on agriculture to which was referred joint resolution relating to the agricultural experiment station.

Reported in favor of its adoption.

Thereupon the resolution was adopted on the part of the senate.

Mr. Fisk of Grand Isle offered the following resolution which was read and adopted :

*Resolved,* That when the senate adjourns it be to meet on Monday, October 15th, at two o'clock in the afternoon.

Mr. Butterfield from the committee on the judiciary to which was referred a bill entitled,

S. 8. An act in amendment of section 815 of the Revised Laws relating to court reports.

Reported in favor of the passage of the bill when amended as follows :

By striking out the words "all persons" at the end of section one and substituting in place thereof the words, *the referees, commissioners, masters in chancery, auditors and judges before whom such proceedings were had.*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time Monday afternoon.

On motion of Mr. Chamberlain the senate adjourned.

MONDAY, OCTOBER 15TH, 1888.

The senate convened at 2 o'clock in the afternoon pursuant to adjournment.

Devotional exercises were conducted by the chaplain.

A bill entitled,

S. 8. An act in amendment of section 816 of the Revised Laws relating to court reporters.

Was read the third time and passed.

Bills of the following titles were severally read the first and second times and referred as follows :

By Mr. Mansur,

S. 18. An act relating to the election and term of office of certain town officers.

To the committee on the judiciary.

By Mr. Giddings,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes.

To the committee on the judiciary.

On motion of Mr. Taft a joint resolution from the house, relating to the election of judges of the supreme court was taken up and adopted in concurrence.

A message was received from the house of representatives by Mr. Merrifield their assistant clerk as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 13. An act incorporating the Bennington village improvement society.

H. 20. An act entitled an act to amend an act to incorporate the granite savings bank and trust company.

In the passage of which the the concurrence of of the senate is requested.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 13. An act incorporating the Bennington village improvement society.

To the general committee.

H. 20. An act entitled an act to amend an act to incorporate the granite savings bank and trust company.

To the committee on banks.

On motion of Mr. Bates the senate adjourned.

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TUESDAY, OCTOBER 16th, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Monday read and approved.

Mr. Holmes offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the joint standing committee on the reform school be instructed to visit said school at Vergennes, inquire into its reformatory methods, its sanitary condition and its practical workings and report to their several houses by bill or otherwise.*

Which was read and adopted on the part of the senate.

On motion of Mr. Frary the senate adjourned.

## AFTERNOON.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Simonds,

S. 20. An act in amendment of act No. 78 of the Session Laws of 1882, relating to cruelty to animals.

To the committee on game and fisheries.

By Mr. Higbee,

S. 21. An act to alter and establish the line between the towns of Jericho and Williston.

To a select committee consisting of the senators from Chittenden county.

By Mr. Frary,

S. 22. An act in amendment of section one thousand one hundred and twenty-eight of the Revised Laws, relating to trustee process.

To the committee on the judiciary.

By Mr. Simonds,

S. 23. An act in amendment of act number one hundred and eighty of the Session Laws of 1884, relating to the duties of the trustees of the soldiers' home.

To to committee on the judiciary.

By Mr. Cramton,

S. 24.' An act to incorporate the Crescent Hotel Company of Pawlet.

To the general committee.

Mr. Stranahan from the committee on banks, to which was referred a house bill entitled,

H. 20. An act entitled an act to amend an act to incorporate the granite savings bank and trust company,

Reported recommending that the bill be passed in concurrence.

And the same was ordered to be read the third time to-morrow morning.

On motion of Mr. Perkins the senate adjourned.

WEDNESDAY, OCTOBER 17th, 1888.

Devotional exercises were conducted by Rev. G. T. Raymond, of Montpelier.

Journal of Tuesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Bunker,

S. 25. An act amending sections 1997 and 1998 of the Revised Laws, relating to interest.

To the committee on the judiciary.

By Mr. Fisk of Grand Isle,

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero.

To a select committee consisting of

Senators Bates,

Matteson,

Cramton,

Hammond,

Parker.

By Mr. Higbee (by request),

S. 27. An act to provide for the fortnightly payment of wages by corporations.

To the general committee.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a joint resolution from the senate relating to reform school.

And have adopted the same in concurrence.

Mr. Higbee offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the special committee consisting of senators from Chittenden*

county to which was referred senate bill twenty-one and the special committee consisting of the members of the house from Chittenden county to which was referred house bill sixty-nine, be authorized and directed to visit the place where it is proposed to change the line between the towns of Williston and Jericho, that they may be the better able to report upon the merits of the proposed change to their respective houses.

Which was read and adopted on the part of the senate.

A house bill entitled,

H. 20. An act entitled an act to amend "an act to incorporate the granite savings bank and trust company."

Was read the third time and passed in concurrence.

Mr. Mansur from the committee on military affairs to which was referred a bill entitled,

S. 5. An act appropriating a certain sum for the support of the soldiers' home,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time to-morrow morning.

Mr. Simonds from the committee on military affairs to which was referred a bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector general and quartermaster-general,

Reported in favor of the passage of the bill.

Mr. Chamberlain moved that the bill be amended by striking out in line three section one the words "twelve hundred" and inserting in lieu thereof the words *one thousand*.

Pending the question, will the senate agree to the same, on motion of Mr. Bates the bill was ordered to lie and be made the special order for to-morrow forenoon at eleven o'clock.

On motion of Mr. Hammond the senate adjourned.

## AFTERNOON.

A message was received from the house of representatives by Mr. Powers their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a joint resolution from the senate authorizing a visit by special committee to examine the proposed change of line between the towns of Williston and Jericho.

And have adopted the same in concurrence.

The house have on their part adopted joint resolutions as follows :

Joint resolution on public health ;

Joint resolution in relation to the Vermont soldiers' home.

In the adoption of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 6. An act relating to the trustees of the Vermont reform school.

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 27. An act in amendment of an act entitled an act to incorporate the Sheldon marble company, approved November 28, 1882.

H. 46. An act in amendment of and in addition to number two hundred and fifty-nine of the acts of 1872, entitled "an act to incorporate the village of Richford."

H. 48. An act to incorporate the Richford aqueduct company.

In the passage of which the concurrence of the senate is requested.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That there shall be a joint committee on public health consisting of three senators and five representatives, to whom shall be referred all matters relating to the public health.*

Was read and adopted in concurrence.



A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the committee on military affairs be directed to visit the Vermont soldiers' home, at Bennington, Vt., and report as to its sanitary condition, the discipline of the home and what appropriation is needed for its maintenance and support for the next two years.

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 27. An act in amendment of an act entitled "an act to incorporate the Sheldon marble company," approved November 28, 1882.

To the committee on manufactures.

H. 46. An act in amendment of and in addition to number two hundred and fifty-nine of the acts of 1872, entitled "an act to incorporate the village of Richford."

To the general committee.

H. 48. An act to incorporate the Richford aqueduct company.

To the general committee.

On motion of Mr. Smith the senate adjourned.

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THURSDAY, OCTOBER 18th, 1888.

Devotional exercises were conducted by Rev. G. T. Raymond, of Montpelier.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Taft,

S. 28. An act to incorporate the citizens' light and power company.

To the general committee.

By Mr. Bates (by request),

S. 29. An act making a married woman eligible as guardian of her husband under the provisions of chapter 125 of the Revised Laws.

To the committee on the judiciary.

By Mr. Mansur,

S. 30. An act in amendment of section 2877 of the Revised Laws and of section four of number 52 of the acts of the general assembly of 1884, in relation to the insane poor.

To the committee on the judiciary.

By Mr. Smith,

S. 31. An act to incorporate the Barre savings bank and trust company, of Barre.

To the committee on finance.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution granting the hall of the house of representatives to the principal of the American asylum for deaf and dumb.

In the adoption of which the concurrence of the senate is requested.

A bill entitled,

S. 5. An act appropriating a certain sum for the support of the soldiers' home.

Was read the third time, and on motion of Mr. Mansur ordered to lie.

The hour having arrived for a meeting of the two houses in joint assembly the senate repaired to the hall of the house.

Having returned therefrom a joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the use of the hall of the house of representatives be granted to Job. Williams, Esq., principal of the American asylum for the education of the deaf and dumb at Hartford, Conn., on October 31st, at two and one half o'clock in the afternoon, that he may exhibit in the presence of the general assembly the proficiency of his pupils, some of whom are beneficiaries of this state, and their capacity for receiving instruction.*

Was read and adopted in concurrence.

Mr. Higbee offered the following joint resolution :

WHEREAS, the state is to be called upon for numerous and large appropriations, and to get a more thorough understanding of our financial affairs it is,

*Resolved by the Senate and House of Representatives, That the auditor be requested to furnish the senate and house of representatives a statement showing the actual condition of our finances to this date.*

Which was read and adopted on the part of the senate.

A bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general.

Was taken up as a special order, and pending the question, will the senate agree to the amendment proposed by the senator from Orleans? on motion of Mr. Bunker the bill was ordered to lie.

Yeas 19 ; Nays 11.

Mr. Bunker having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Briggs,  
Bunker,  
Cramton,  
Fisk, of Lamoille,  
Frary,  
Hammond,

Higbee,  
Holmes,  
Johnson,  
Jones,  
King,  
Parker,

Peake,  
Ripley,  
Smith,  
Stevens,  
Taft,  
Terrill.—19.

Those senators who voted in the negative are Messrs.

Bates,  
Bell,  
Butterfield,  
Chamberlin,

Fisk, of Grand Isle,  
Giddings,  
Mansur,  
Matteson,

Perkins,  
Simonds,  
Stranahan.—11.

So the bill was ordered to lie.

Mr. Smith from the committee on finance, to which was referred a bill entitled,

S. 13. An act to complete monuments for Gettysburg,

Reported in favor of the passage of the bill.

And the same was ordered to be read the third time to-morrow morning.

Mr. Fisk of Lamoille, from the committee on the judiciary, to which was referred a bill entitled,

S. 18. An act relating to the election and term of office of certain town officers,

Reported in favor of the passage of the bill when amended by

striking out in lines four and five, section two, the words "during the remainder of the year".

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow morning.

Mr. Bates from the committee on the judiciary, to which was referred a bill entitled,

S. 16. An act to amend section 899 of the Revised Laws relating to supreme and county courts,

Reported in favor of the passage of the accompanying substitute bill as follows:

S. 32. An act providing where suits brought by an executor or administrator shall be made returnable.

*It is hereby enacted by the general assembly of the State of Vermont:*

SECTION 1. Actions commenced by an executor or administrator under the provisions of section 2131 of the Revised Laws shall be made returnable before the same courts and in the same towns and counties where such actions might have been made returnable, if commenced by the deceased person while living in his last place of abode before his death.

SECTION 2. This act shall take effect from its passage.

Which was read the first and second times and under the rules ordered to lie and be printed.

Mr. Taft from the committee on the judiciary, to which was referred a bill entitled,

S. 2. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators,

Reported in favor of the passage of the accompanying substitute bill as follows:

An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators.

*It is hereby enacted by the General Assembly of the State of Vermont:*

SECTION 1. When an executor or administrator dies, resigns, is removed, or his authority is extinguished, leaving a remaining executor or administrator, administration may be granted to some suitable person as administrator, with the will annexed, with such remaining executor or administrator of the estate not administered, upon the application of any person interested in the estate of the deceased, as widow, heir, creditor, devisee, legatee, or their legal representatives.

SECTION 2. An administrator appointed under the provisions

of section one of this act shall have the same power in settling the estate as the remaining executor or administrator has, and with said executor or administrator may prosecute or defend actions commenced by or against the former executors or administrators, and may sue out a *scire facias* and have execution on judgments recovered in the name of such former executors or administrator.

**SECTION 3.** When, on the application of the widow, heir, creditor, devisee or legatee, of a deceased person, or their legal representatives, it appears to the probate court that the bond of the executor or administrator is not sufficient, the court shall order the executor or administrator to give a new and sufficient bond; and if the executor does not, within a time to be limited by said court, give a new bond, the court shall remove him and appoint some other person in his place.

**SECTION 4.** When it appears on the application of a surety on an executor's or administrator's bond that he is in danger of suffering thereby, the probate court shall order the executor or administrator to give a new bond, and when such new bond is filed and approved shall discharge said surety from further liability, and if the executor or administrator, after being notified of such order, does not give a new bond, the court shall remove him, and appoint some other person in his place.

**SECTION 5.** This act shall take effect from its passage.

Which was read the first and second times, and under the rules ordered to lie and be printed.

On motion of Mr. Fisk of Grand Isle, the senate adjourned.

## AFTERNOON.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

**MR. PRESIDENT:**

I am directed to inform the senate that the house have passed bills of the following titles:

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

H. 40. An act providing for the sale of leased property for taxes.

H. 49. An act to legalize the grand list of the town of Barnard for the year 1887.

H. 50. An act to legalize the grand list including the quadrennial appraisal of the town of Norton for the years of 1887 and 1888.

H. 70. An act granting a ferry to Hiram Loundry, Jr.

H. 81. An act to amend number 222 of the acts of 1884, entitled "an act to incorporate the village of Proctor."

H. 97. An act in addition to an act incorporating the Rutland missionary association, approved November 2d, 1866.

H. 100. An act to extend the time for the completion of the Montpelier and White River railroad.

In the passage of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 1. An act in amendment of section 2029 of the Revised Laws of Vermont, relating to judges and registers of probate courts.

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

To the committee on agriculture.

H. 40. An act providing for the sale of leased property for taxes.

To the committee on the judiciary.

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887.

To the committee on the grand list.

H. 50. An act to legalize the grand list including the quadrennial appraisal of the town of Norton for the years of 1887 and 1888.

To the committee on the grand list.

H. 70. An act granting a ferry to Hiram Loundry, Jr.

To the committee on highways and bridges.

H. 81. An act to amend number two hundred and twenty-two of the acts of 1884, entitled "an act to incorporate the village of Proctor."

To the general committee.

H. 97. An act in addition to an act incorporating the Rutland missionary association, approved November 2d, 1866.

To the general committee.

H. 100. An act to extend the time for the completion of the Montpelier and White River railroad.

To the committee on railroads.

Mr. Jones from the committee on the grand list, to which was referred a bill entitled,

S. 17. An act to amend section six, number seventy-seven of the session laws of 1854, entitled, "an act to incorporate the Vermont episcopal institute,"

Reported in favor of the passage of the bill.

And the same was ordered to be read the third time to-morrow morning.

Mr. Briggs (by request). introduced a bill entitled,

S. 34. An act to pay B. F. Kelley the sum therein named.

Which was read the first and second times and referred to the committee on claims.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to request the senate to return to the possession of the house, a house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

Mr. Bates moved that the secretary return to the possession of the house, agreeably to their request, a house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

And the same was agreed to.

On motion of Mr. Johnson the senate adjourned.

FRIDAY, OCTOBER 19, 1888.

Reading of the scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

A bill entitled,

S. 13. An act to complete monuments for Gettysburg.

Was read the third time, and on motion of Mr. Jones ordered to lie.

Bills of the following titles were severally read the third time, and passed :

S. 17. An act to amend section six of number seventy-seven of the session laws of 1854, entitled, "an act to incorporate the Vermont episcopal institute."

S. 18. An act relating to the election and term of office of certain town officers.

A message was received from His excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 18th day of October he approved and signed bills originating in the senate of the following titles, to wit :

S. 6. An act relating to the trustees of the Vermont reform school.

S. 1. An act in amendment of section 2029 of the Revised Laws of Vermont, relating to judges and registers of probate courts.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a joint resolution from the senate requesting the state auditor to make a statement of the state's finances.

And have adopted the same in concurrence.

The house have passed bills of the following titles :

H. 45. An act to change the name of Walter Scott Clough.



H. 91. An act to change the names of the persons therein named.

In the passage of which the concurrence of the senate is requested.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Bates,

S. 35. An act to incorporate the Maritime Canal Company of Nicaragua.

To the general committee.

By Mr. Simonds (by request),

S. 36. An act providing for the formation of co-operative savings and loan associations.

To the general committee.

By Mr. Parker,

S. 37. An act relating to the support of the insane poor.

To the committee on the judiciary.

By Mr. Frary,

S. 38. An act to amend section 13 of number forty-two of the acts of 1886, relating to settlement of paupers.

To the committee on the judiciary.

By Mr. Smith,

S. 39. An act in amendment of an act so incorporate the Vermont Mutual Fire Insurance Company.

To the committee on the judiciary.

By Mr. Briggs,

S. 40. An act in relation to electric light companies.

To the judiciary committee.

By Mr. Taft,

S. 41. An act to repeal number sixty-nine of the laws of 1886, relating to appearance in divorce cases.

To the joint committee on state and court expenses.

By Mr. Taft,

S. 42. An act changing the time for holding the annual meeting of the Vermont Life Insurance Company.

To the general committee.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 45. An act to change the name of Walter Scott Clough.

H. 91. An act to change the names of the persons therein named.

To the general committee.

Mr. Bates moved that the secretary request the house to return to the possession of the senate a house bill entitled,

H. 20. An act entitled an act to amend "an act to incorporate the granite saving bank and trust company,"

And the same was agreed to.

Mr. Hammond offered the following resolution which was read and adopted :

*Resolved*, That when the senate adjourns it be until two o'clock Monday afternoon next.

Bills of the following titles were severally taken from the table and ordered to be read the third time Tuesday morning :

S. 32. An act providing where suits brought by an executor or administrator shall be made returnable.

S. 33. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to return to the possession of the senate agreeably to their request, house bill entitled,

H. 20. An act entitled an act to amend an act to incorporate the granite savings bank and trust company.

Mr. Bates moved that the rules be suspended and that the senate reconsider its vote, passing in concurrence a house bill entitled,

H. 20. An act entitled an act to amend an act to incorporate the granite savings bank and trust company.

Which was agreed to.

And on motion of Mr. Bates the bill was ordered to lie.

On motion of Mr. Taft the senate adjourned.

## AFTERNOON.

Mr. Parker offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the committee on agriculture of the senate and the committee on agriculture of the house be and are hereby directed to visit the agricultural college at Burlington, examine its methods of government and practical workings, and report by bill or otherwise.

Which was read and adopted on the part of the senate.

Mr. Briggs introduced a bill entitled,

S. 43. An act to amend section 3276 of the Revised Laws, relating to the formation of private corporations.

Which was read the first and second times and referred to the committee on the judiciary.

Mr. Fisk of grand Isle offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the special committee of the senate to which was referred S. 26, and the special committee of the house to which was referred H. 111, be authorized and directed to visit the place where it is proposed to build a bridge between the towns of Grand Isle and North Hero, and report to their respective houses regarding the merits of the proposed legislation.

Which was read and adopted on the part of the house.

Mr. Jones from the committee on grand list, to which was referred a senate bill entitled,

S. 11. An act in amendment to chapter twenty-two of the Revised Laws, relating to taxation,

Reported recommending that the bill be passed when amended as follows :

By striking out in line four of section one the words "between two" and inserting in lieu thereof the words, *so that it stands partly within two or more.*

Which proposal of amendment was agreed to.

And the bill was ordered to be read the third time Tuesday afternoon.

Petitions praying for the enactment of a law giving women the

right to vote in municipal elections were severally presented as follows :

By Mr. Adams,

Petition of Esther T. Housh, president of the Vermont woman's christian temperance union and sixteen other officers of that society.

By Mr. Perkins,

Petition of A. N. Swain and thirty-four others, citizens of Rockingham.

By Mr. Chamberlin,

Petition of Almira A. Colton and one hundred and twenty-four others, citizens of Irasburgh.

And the same were referred to the committee on elections.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have appointed as the joint special committee on the part of the house, on state board of health :

Mr. Holton of Brattleboro,  
Grout of Stowe,  
Worthen of Barre,  
Baker of Richford,  
Bolster of Winhall.

The house have passed bills of the following titles :

H. 34. An act in amendment of section one of act number 90 of the public acts of 1886, relating to check-lists in incorporated villages.

H. 35. An act amending section 2656 of the Revised Laws of Vermont relating to check-lists in towns.

H. 42. An act to amend act 61 of acts of 1886 providing for the payment of masters, referees, auditors and commissioners, appointed by supreme or county courts.

H. 43. An act to incorporate the Brattleboro street railroad company.

H. 56. An act exempting honorably discharged soldiers and sailors from the payment of a poll tax after sixty years of age.

H. 61. An act to amend section 3679 of the Revised Laws, relating to pews in houses of public worship.

H. 74. An act empowering officers of societies for the prevention of cruelty to animals to arrest and prosecute offenders.

H. 77. An act in amendment of act number sixty-one of the acts of 1882, relating to fees in probate courts.

H. 79. An act to incorporate the West Rutland aqueduct company.

In the passage of which the concurrence of the senate is requested.

The house have considered joint resolutions from the senate as follows :

Joint resolution providing for a visit to the place where it is proposed to build a bridge between the towns of Grand Isle and North Hero by the committees of senate and house.

Joint resolution instructing committee on agriculture to visit agricultural college at Burlington.

And have adopted the same in concurrence.

Mr. Smith from the joint committee on game and fisheries, to which was referred a senate bill entitled,

S. 20. An act in amendment of act number seventy-eight of the session laws of 1882, relating to cruelty to animals,

Reported adversely to the passage of the bill.

And the same was refused a third reading.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 34. An act in amendment of section one of act number ninety of the public acts of 1886, relating to check-lists in incorporated villages.

H. 35. An act amending section 2656 of the Revised Laws of Vermont, relating to check-lists in towns.

To the general committee.

H. 42. An act to amend act sixty-one of acts of 1886, providing for the payment of masters, referees, auditors and commissioners appointed by supreme and county courts.

To the committee on the judiciary.

H. 43. An act to incorporate the Brattleboro street railroad company.

To the committee on railroads.

H. 56. An act to exempt soldiers and sailors of sixty years of age and over from payment of a poll tax.

To the committee on military affairs.

H. 61. An act to amend section 3679 of the Revised Laws, relating to pews in houses of public worship.

H. 74. An act empowering officers of societies for the prevention of cruelty to animals to arrest and prosecute offenders.

H. 77. An act in amendment of act number sixty-one of the acts of 1882, relating to fees in probate courts.

To the committee on the judiciary.

H. 79. An act to incorporate the West Rutland aqueduct company.

To the general committee.

The president announced as the special joint committee on the part of the senate, on public health, under a joint resolution relating thereto,

Senator Giddings,  
Jones,  
Parker.

On motion of Mr. Bunker the senate adjourned.

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MONDAY, OCTOBER 22, 1888.

The senate convened at 2 o'clock in the afternoon pursuant to adjournment.

Devotional exercises were conducted by Rev. G. T. Raymond, of Montpelier.

Journal of Friday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Mansur,

S. 44. An act in relation to highways and bridges in unorganized towns and gores.

To the committee on highways and bridges.

By Mr. Taft,

S. 45. An act defining the duties and powers of the state and local boards of health, of health officers and others.

To the special joint committee on public health.

By Mr. Taft,

S. 46. An act in amendment of section 3812 of the Revised Laws, relating to intoxication.

To the special joint committee on temperance legislation.

On motion of Mr. Terrill the senate adjourned.

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TUESDAY, OCTOBER 23d, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally read the third time and passed :

S. 11. An act in amendment to chapter twenty-two of the Revised Laws, relating to taxation.

S. 32. An act providing where suits brought by an executor or administrator shall be made returnable.

A bill entitled,

S. 33. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators.

Was read the third time.

Mr. Mansur moved that the bill be committed to a senator to amend by inserting before the words "with the will annexed" in line seven, section one, the words *or as administrator*.

Which was agreed to, and the bill was committed to the senator from Essex to amend, who reported the same back amended agreeably to the instructions of the senate.

Thereupon Mr. Bates moved that the bill be ordered to lie.

And the same was agreed to.

Mr. Smith offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the use of the senate chamber be granted to the "senate of 1886" for a reunion Thursday evening, November 15th, and to the "senate of 1882" for a reunion Friday evening, November 16th.*

Which was read and adopted on the part of the senate.

On motion of Mr. Bates a bill entitled,

S. 33. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators,

Was taken from the table.

Mr. Bates moved that the bill be committed to a senator to amend by inserting after the words "probate court" in line four, section three, the words *on hearing both parties*.

Which was agreed to, and the bill was committed to the senator from Caledonia to amend, who reported the same back to the senate amended agreeably to its instructions.

Mr. Bates moved that the bill be committed to a senator to further amend by striking out in line one, section four, the words "it appears" and inserting after the word "bond" in line three, section four, the words *and on hearing both parties by the probate court it appears*.

Pending the question, will the senate agree to the same? Mr. Fisk of Lamoille moved to amend the amendment prepared by the senator from Caledonia so that section four shall read as follows :

SECTION 4. *Upon the request of a surety on an executor's or administrator's bond, that he be relieved from further liability, the probate court shall order the executor or administrator to settle his account and to give a new bond, and when his account is settled and such new bond is filed and approved shall discharge said surety from further liability; and if the executor or administrator after being notified of such order does not settle his account and give a new bond the court shall remove him and appoint some other person in his place.*

Which was disagreed to.

The question recurring upon the amendment proposed by the senator from Caledonia.

On motion of Mr. Fisk of Lamoille the bill was ordered to lie.

On motion of Mr. Mansur the senate adjourned.



## AFTERNOON.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution granting the use of the hall of the house of representatives to the reunion society of Vermont officers.

In the adoption of which the concurrence of the senate is requested.

I am directed to request the senate to return to the possession of the house, a house bill entitled,

H. 56. An act exempting honorably discharged soldiers and sailors from the payment of a poll-tax after sixty years of age.

The house have considered joint resolution from the senate granting the use of the senate chamber for reunions of the senate of 1882 and the senate of 1886.

And have adopted the same in concurrence.

The house have passed bills of the following titles :

H. 32. An act to pay Henry S. Beedle the sum therein named.

H. 59. An act for the better protection of the insane and feeble-minded.

H. 93. An act in amendment of section 1980 of the Revised Laws, in relation to mortgages on machinery.

In the passage of which the concurrence of the senate is requested.

The secretary was directed to return to the house, agreeably to their request, a house bill entitled,

H. 56. An act exempting honorably discharged soldiers and sailors from the payment of a poll tax after sixty years of age.

Mr. Bunker presented a petition signed by the presidents and secretaries of eleven woman's christian temperance unions in Caledonia county, asking for the enactment of a law extending suffrage to women in all municipal elections.

Which was read and referred to the committee on elections.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Bates,

S. 47. An act to repeal section 2363 and 2364 of the Revised Laws, relating to divorce proceedings.

To the committee on the judiciary.

By Mr. Johnson,

S. 48. An act in addition to the charter of the village of Woodstock.

To the general committee.

By Mr. Perkins (by request),

S. 49. An act altering the name of Mary Ann Pus, and constituting her heir-at-law of Hiram H. Gilson and Jennie S. Gilson.

To the general committee.

By Mr. Briggs,

S. 50. An act authorizing the auditor of accounts to appoint a deputy.

To the general committee.

By Mr. Johnson,

S. 51. An act for the relief of families of insane persons.

To the committee on the judiciary.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the use of the hall of the house of representatives be granted to the reunion society of Vermont officers for their annual reunion, on Wednesday evening, November 14th.*

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 32. An act to pay Henry S. Beedle the sum therein named.

To the committee on claims.

H. 59. An act for the better protection of the insane and feeble-minded.

To the committee on the insane asylum.

H. 93. An act in amendment of section 1980 of the Revised Laws, in relation to mortgages on machinery.

To the committee on the judiciary.

On motion of Mr. Briggs the senate adjourned.

WEDNESDAY, OCTOBER 24th, 1888.

Reading scriptures and prayer by the chaplain.

Journal of Tuesday read and approved.

Bills of the following titles were severally taken up, and passed :

S. 5. An act appropriating a certain sum for the support of the soldiers' home.

S. 13. An act to complete monuments for Gettysburg.

A bill entitled,

S. 33. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators,

Was taken up, and the pending motion to commit to a senator to amend as proposed by the senator from Caledonia, was agreed to.

Thereupon the bill was committed to the senator from Caledonia to amend, who reported the same back amended agreeably to the instructions of the senate.

Mr. Fisk of Lamoille moved that the bill be committed to a senator to further amend by inserting after the word "administrator" in line five, section four, the words *to settle his account and*. Also by inserting after the word "not" in line ten, section four, the words *settle his account and*.

Which was agreed to, and the bill was committed to the senator from Lamoille to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

Mr. Simonds from the committee on military affairs, submitted the following report :

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

Pursuant to a joint resolution adopted by both houses, your committees on military affairs visited the soldiers' home at Bennington, on Monday. They inspected the manner of keeping books and accounts, the rules and terms of admission to the home, the condition of the rooms, furniture and bedding, the food and attendance, the sanitary condition of the buildings and grounds, and ascertained by conversation with the inmates whether there is any

cause for dissatisfaction on their part. The committees found the grounds, comprising one hundred and ninety-eight acres, nearly level land, beautifully located on the outskirts of the village, including a fine grove and magnificent fountain, formerly the summer estate of a wealthy New York gentleman, the gift to the state of the heirs of the late T. W. Park, especially well adapted to the convenience and enjoyment of the inmates of the home.

When the addition to the main building, which is nearing completion, is finished, the building will be ample for present needs and finely adapted to the comfort and convenience of the veterans and those who have them in charge. The water supply and sewerage will be excellent, for in addition to the large amount of water supplied from a distant mountain spring, in digging the cellar for the new building, a copious stream of pure water was found which will be kept flowing through the principal sewer pipes which will thus be kept flushed all the time; while a bath room and closets are well supplied with traps.

The new part will furnish a needed room for hospital purposes, a large dining room and kitchen, a room where the veterans can meet together for games and social enjoyment as well as adding sleeping rooms for over sixty inmates; the whole will be heated by steam and will be supplied with hot and cold water.

The food was found to be ample in variety and quality and well cooked and served—the rooms are neat and tidy, the beds comfortable and the furniture ample.

There are now forty-two inmates who are too much crowded in their present quarters.

The addition will make room for at least fifty more without crowding.

There are already fifteen applications on file from soldiers who wish admission, and probably as many more ready to make application.

There are, besides, known to be sixty-eight Vermont soldiers inmates of the national and homes of other states, many of whom will doubtless prefer the Vermont home when there is room.

The accounts are carefully kept and show all the expenditures in a form easily understood.

The inmates uniformly expressed themselves greatly pleased with their treatment and spoke in the highest terms of the kind care shown them by both superintendent Coffey and his wife.

It is the opinion of the committees that the needy veterans are much better cared for and more contented than they would be in their respective towns and when the number is increased, that it will be done with less expense.

Though the buildings are insured, we would recommend that

two or three additional hydrants with extra hose, be placed at convenient points near the main building and the barns, as a precaution against fire, as it can be done without great expense.

We also recommend that a suitable team for farm work be purchased, as it is greatly needed, and ample forage is produced.

In regard to the appropriation of twenty-five thousand dollars asked for by the trustees of the home, your committees think that while it may not all be used, yet as it is drawn out of the treasury only as needed, and past experience has shown that the trustees have not been extravagant and wasteful in the use of the money heretofore appropriated by the state and as contingencies may arise when it may all be needed, the request of the trustees in this respect should be complied with.

Unless hindered by the want of proper support on the part of the state, the soldiers' home will be made an institution of which every Vermonter may be proud.

D. K. SIMONDS,

*for the Committee of the Senate.*

W. H. H. SLACK,

*for the Committee of the House.*

Which was read and accepted.

Mr. Briggs from the committee on claims, to which was referred a bill entitled,

S. 34. An act to pay B. F. Kelley the sum therein named,

Reported in favor of the passage of the bill when amended by filling the blank in section one with the words *sixty dollars and ten cents*.

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow morning.

The president laid before the senate the following report :

REPORT OF THE AUDITOR OF ACCOUNTS RELATIVE TO THE FINANCIAL CONDITION OF THE STATE.

AUDITOR'S OFFICE,  
MONTPELIER, VT., Oct. 22, 1888. }

TO THE PRESIDENT OF THE SENATE :

In compliance with a joint resolution which originated in the senate, requesting the auditor of accounts to make report as to the

financial condition of the state, I have the honor to submit the following statement :—

Take as a starting point the statement of “liabilities” and “resources,” as given by the treasurer at the close of the last fiscal year :—

#### LIABILITIES.

Due towns, U. S. surplus fund,	\$12,916 37	
Due soldiers, unpaid balances,	8,359 97	
Due agricultural college fund, (represented by state bonds, falling due June 1, 1890, interest payable to the college semi-annually,)	135,500 00	
Due on appropriation for Gettysburg monument and grounds,	6,880 00	
		<u>\$163,656 34</u>

#### RESOURCES.

Cash on hand and in banks,	\$88,062 30	
Estimated amount of tax from corporations for 1888,	230,000 00	
Estimated proceeds from balance of Huntington fund securities,	13,000,00	
		<u>\$331,062 30</u>

WM. H. DuBOIS,

*State Treasurer.*

August 1, 1888.

This statement deals only with matters fully adjusted, and with liabilities fixed and appearing upon his books. For the purpose of comparison it is sufficient, as statements upon a like basis are made at each annual settlement.

It does all that it purports to do, forecasts with substantial accuracy the fixed resources for the coming fiscal year, for the purpose of determining the sum available to meet the demands of the year. It does not take into account such demands as no one, especially in a legislative year, could make an intelligent guess as to what they would be. In arriving at the “financial condition,” there are considerations with which this statement does not assume to deal. At its date there were liabilities of at least \$90,000 in outstanding and unpaid orders, and claims outstanding and unliquidated of which the treasurer had no official knowledge. The next day a single order was drawn for \$66,141.38, and the orders for August aggregated \$109,221.64, while there was between \$7,000 and \$8,000 in unpaid orders not yet presented. By No. 230, acts 1884, the treasurer was authorized to use the Huntington fund of \$210,728.76, “in his discretion,” “for the general purposes of the state,” and to “annually apportion the interest at six per cent.” among the towns for school purposes. This fund has since been mostly expended, and as such has dropped out and gone into

the general accounting. The annual interest to be so "apportioned" is \$12,643.73. Thus the principal has been exhausted in reduction of state expenses, and the interest charge remains for their perpetual increase. To appreciate the situation then as to the relation of the expenses to the revenue, the treatment of this fund should be considered, if indeed the principal should not be given its place among the "liabilities."

It differs from the items in the list only in the fact that the principal is never to be paid. As the items treated as liabilities are not likely to be paid within the year, the whole sum, \$331,062.30 less the \$90,000 estimated as outstanding August 1. was the amount available for the demands of the year. The treasurer has kindly furnished a similiar statement of the nineteenth instant appended hereto and made a part of this report, which shows available toward the payment of liabilities now existing and to accrue to August 1, 1889, the sum of \$198,811.10.

The assets and resources fully appear in the treasurer's accounting, and these reports, modified by the consideration of claims accrued but unadjusted at their date, and by the matter of the Huntington fund, will give the "financial condition," both absolute, and as to the relation of expenses to revenue.

To state the case in another way: Should the expenses be the same for this as for the last legislative year it will take \$189,121.70 in addition to the sum now provided for to meet the demands to August 1 next, and this without making provision for any portion of the permanent indebtedness. One of the demands of the year, as of every year to come, until reduced by the payment of some portion of the principal, is the interest at six per cent. upon \$359,145.13, to wit: \$21,548.70.

This balance is reached by the following statement:—

Demands outstanding August 1,	\$ 90,000 00
Expenses last legislative year,	430,184 00
	<hr/>
	\$520,184 00
Resources for the year,	331,062 30
	<hr/>
Balance,	\$189,121 70

While the \$90,000 item first minuted will be embraced in the sum represented by the second item as expenses for the year, there is substantially the same amount unadjusted at the end of the year.

The only other consideration I have in mind affecting the question is the claim preferred against the state by the United States, now in process of adjustment under the provisions of No. 217, acts 1836. But matters have not sufficiently developed yet to warrant any estimate as to the result of that claim.

Since the passage of the "corporation tax law" each Legislature

has assessed a single tax upon one of the lists of the biennial term, the last for twelve cents on the dollar of the grand list, and all prior thereto for ten cents; said tax being usually payable during the last year of the term. Should this legislature make no other or earlier provisions, the situation August 1, 1889, will be,—

Probable deficit as to current expenses,	\$189,121 70
Interest-bearing liabilities,	359,145 13
Total,	<u>\$548,266 83</u>

It will be seen upon examination that the increase in state expenses has been wrought principally through legislation creating new boards and new institutions, increasing compensation, and making such changes in the laws as will add permanently to current expenses. Should they be increased by one-half the ratio of the last, over the preceeding term, at least twice the usual tax will be required to meet the liabilities of this biennial term.

Respectfully submitted,

E. HENRY POWELL,

AUDITOR.

STATE OF VERMONT,

IN ACCOUNT WITH WILLIAM H. DuBOIS, TREASURER.

CREDIT.

1888.

Oct. 19.	Cash on hand and in banks August 1, 1888,	\$ 88,062.30
"	Received from corporations, tax for 6 mos.,	100,887.01
"	" " sale Huntington fund securities,	10,402.70
"	" " Banks, interest on balances,	489.20
"	" " G. H. Eayres, Supt. House Correction,	858.03
"	" " E. W. Oakes, Supt. State Prison,	1,736.50
"	" " E. T. Healey, Supt. Reform School,	522.85
"	" " County Clerks,	753.00
"	" " Sundry sources,	186.30
"	" " Forepaugh, circus license,	1,000.00
		<u>\$204,897.89</u>

DEBIT.

	Auditor's orders paid,	\$139,839.23
	Extra state pay to soldiers,	1.63
	Interest on temporary loan,	75.00
Oct. 19.	Cash on hand and in banks,	64,982.03
		<u>\$204,897.89</u>



## LIABILITIES.

Due towns, U. S. surplus fund,	\$ 12,916.37
Due soldiers, unpaid balances,	8,358.34
Due agricultural college fund, (represented by state bonds, falling due June 1, 1890, interest payable to the college semi-annually,)	135,500.00
	<u>\$156,774.71</u>

## RESOURCES.

Cash on hand and in banks,	\$ 64,811.10
Estimated amount of balance of tax from corporations for 1888,	130,000.00
Estimated proceeds from balance of Huntington fund securities,	4,000.00
	<u>\$198,811.10</u>

Wm. H. DuBOIS,

*State Treasurer.*

October 19, 1888.

And on motion of Mr. Bunker the same was ordered to lie, and the secretary was directed to procure the printing of the usual number of copies for the use of the general assembly.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Bates from the committee on the judiciary,

S. 23. An act in amendment of act number 180 of the session laws of 1884, relating to the duties of the trustees of the soldiers' home.

By Mr. Mansur from the committee on the judiciary,

S. 29. An act making a married woman eligible as guardian of her husband under the provisions of chapter 125 of the Revised Laws.

By Mr. Johnson from the committee on the judiciary,

S. 43. An act to amend section 3276 of the Revised Laws, relating to the formation of private corporations.

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Bates,

S. 52. An act in addition to chapter sixty-five of the Revised

Laws, relating to the attachment and sale of property upon which mortgagee, pledgee, vendor or bailee has a lien.

To the committee on the judiciary.

By Mr. Taft,

S. 53. An act in addition to chapter 169 of the Revised Laws, entitled, "the traffic in intoxicating liquor."

To the special joint committee on temperance legislation.

By Mr. Mansur,

S. 54. An act in amendment of sections 4556, 4558, 4559, 4560, 4561, 4564 and 4567 of the Revised Laws, and in addition thereto, changing the fiscal year.

To the committee on the judiciary.

Mr. Taft presented the petition of Homer Eaton and other citizens of Burlington, asking for the passage of senate bill fifty-three, relating to the traffic in intoxicating liquor.

Which was read and referred to the special joint committee on temperance legislation.

Mr. Hammond offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the state librarian be directed to deliver to the library of the Sheldon art museum, at Middlebury, one copy of such of the documents and volumes, except law reports, published by the state, that may be needed to fill set, now incomplete, in said library, as can be delivered without prejudice to the state library.*

Which was read, and referred to the joint committee on the library.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Bell from the committee on claims,

H. 32. An act to pay Henry S. Beedle the sum therein named.

By Mr. Mansur from the committee on the judiciary,

H. 61. An act to amend section 3679 of the Revised Laws, relating to pews in houses of public worship.

By Mr. Fisk from the committee on highways and bridges,

H. 70. An act granting a ferry to Hiram Loundry, Jr.

By Mr. Johnson from the committee on the judiciary,

H. 93. An act in amendment of section 1980 of the Revised Laws, in relation to mortgages on machinery.

Whereupon the bills were severally ordered to be read the third time to-morrow morning.

Mr. Bates from the committee on the judiciary to which was referred house bill entitled,

H. 42. An act to amend act sixty-one of acts of 1886, providing for the payment of masters, referees, auditors and commissioners appointed by supreme or county courts,

Reported in favor of the passage of the bill in concurrence, with proposals of amendment as follows :

First. By inserting in section one, line five, after the word "appeals," the words *and commissioners upon applications to establish or discontinue highways.*

Second. By striking out all of section one after the word "state" in line nine.

Which proposals of amendment were agreed to.

Whereupon the bill was ordered to be read the third time to-morrow morning.

On motion of Mr. Bell the senate adjourned.

#### AFTERNOON.

Mr. Fisk of Lamoille (by request), introduced a bill entitled,

S. 55. An act relating to investments by savings banks, and savings banks and trust companies.

Which was read the first and second times, and referred to the committee on banks.

Mr. Parker from the committee on highways and bridges, to which was referred a bill entitled,

S. 44. An act in relation to highways and bridges in unorganized towns and gores,

Reported in favor of its passage when amended in section three, line nine, by striking out the word "fifteen" after the word "year" and inserting in lieu thereof the word *twenty-five.*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow morning.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 76. An act providing for the appointment of supervisors of the insane.

H. 78. An act in amendment of number 157 of the session laws of 1882 to incorporate the farmers' and mechanics' exchange.

H. 114. An act to incorporate the Chestnut hill reservoir company.

H. 116. An act to change the name of Flora Ann Hines.

In the passage of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 8. An act amending section 816 of the Revised Laws, relating to court reporters.

And have refused the same a third reading.

The house have considered a joint resolution from the senate relating to the agricultural experiment station.

And have adopted the same in concurrence.

Mr. Butterfield from the committee on the judiciary, to which was referred a house bill entitled,

H. 74. An act empowering officers of societies for the prevention of cruelty to animals to arrest and prosecute offenders,

Reported, for a majority of the committee, in favor of the passage of the bill in concurrence.

And on motion of Mr. Bates the same was ordered to lie.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 76. An act providing for the appointment of supervisors of the insane.

To the committee on the insane asylum.

H. 78. An act in amendment of number 157 of the session laws of 1882, to incorporate the farmers' and mechanics' exchange.

H. 114. An act to incorporate the Chestnut hill reservoir company.

H. 116. An act to change the name of Flora Ann Hines.

To the general committee.

On motion of Mr. Fisk of Grand Isle the senate adjourned.

THURSDAY, OCTOBER 25, 1888.

Reading scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Johnson (by request),

S. 56. An act providing for the revision of the public laws of this state.

To the committee on the judiciary.

By Mr. Higbee (by request),

S. 57. An act in addition to chapter 169 of the Revised Laws, entitled "the traffic in intoxicating liquor."

To the special joint committee on temperance legislation.

By Mr. Briggs,

S. 58. An act relating to the collection of fines and costs.

To the joint committee on state and court expenses.

By Mr. Bates,

S. 59. An act for the incorporation of independent local churches.

By Mr. Johnson,

S. 60. An act in addition to chapter 147 of the Revised Laws, entitled "burial grounds."

To the general committee.

Mr. Taft offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the state librarian be authorized and directed, with the concurrence and approval of the judges of the supreme court, to contract with Daniel Roberts of Burlington, for the preparation and publication of a supplement to "Roberts' Vermont Digest," embracing volumes 49 to 60 inclusive of the Vermont reports, and for supplying to the state such number of copies of such supplement and at such price and terms as they may agree upon.*

S. 6.

That of the copies of such supplement furnished to the state, distribution shall be made in the same manner as is provided by law for the distribution of the reports of the decisions of the supreme court.

That the state librarian be authorized to draw orders on the state treasurer in payment for the number of copies of said supplement so furnished.

Which was read and referred to the committee on the judiciary.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 56. An act exempting honorably discharged soldiers and sailors from the payment of a poll-tax after sixty years of age.

H. 65. An act to incorporate the Mount Mansfield railroad company.

H. 73. An act to legalize the grand list of the town of Irasburgh.

H. 80. An act for the protection of highways in winter.

H. 88. An act to legalize the quadrennial appraisal and the grand list of the town of Dorset for the year A. D. 1886.

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1887.

H. 132. An act changing the name of Lyman R. Balch.

In the passage of which the concurrence of the senate is requested.

Bills of the following titles were severally read the third time and passed.

S. 23. An act in amendment of act number 180 of the session laws of 1884, relating to the duties of the trustees of the soldiers' home.

S. 29. An act making a married woman eligible as guardian of her husband under the provisions of chapter 125 of the Revised Laws.

S. 35. An act to pay B. F. Kelley the sum therein named.

S. 43. An act to amend section 3276 of the Revised Laws, relating to the formation of private corporations.

S. 44. An act in relation to highways and bridges in unorganized towns and gores.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 32. An act to pay Henry S. Beedle the sum therein named.

H. 70. An act granting a ferry to Hiram Loundry, Jr.

H. 93. An act in amendment of section 1980 of the Revised Laws, in relation to mortgages on machinery.

A house bill entitled,

H. 61. An act to amend section 3679 of the Revised Laws, relating to pews in houses of public worship.

Was read the third time, and on motion of Mr. Stranahan ordered to lie.

A house bill entitled,

H. 42. An act to amend act sixty-one of acts of 1886 providing for the payment of masters, referees, auditors and commissioners appointed by supreme or county courts.

Was read the third time.

Mr. Briggs moved that the senate reconsider its vote agreeing to a proposal of amendment to strike out all of section one after the word "state" in the ninth line thereof.

And pending the question, will the senate agree to the same? on motion of Mr. Bates the bill was ordered to lie.

A house bill entitled,

H. 56. An act exempting honorably discharged soldiers and sailors from the payment of a poll-tax after sixty years of age.

Was taken up and re-referred to the committee on military affairs.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 65. An act to incorporate the Mount Mansfield railroad company.

To the committee on railroads.

H. 73. An act to legalize the grand list of the town of Irasburgh.

H. 88. An act to legalize the quadrennial appraisal and the grand list of the town of Dorset for the year A. D. 1886.

H. 119. An act to legalize the grand list of the town of Waitsfield.

To the committee on the grand list.

H. 80. An act for the protection of highways in winter.

To the committee on highways and bridges.

H. 132. An act changing the name of Lynn R. Balch.

To the general committee.

A house bill entitled,

H. 20. An act entitled an act to amend an act to incorporate the granite savings bank and trust company,

Was taken up.

The question being shall the bill be passed in concurrence?

Mr. Bates moved that the senate propose to the house to amend the bill,

By striking out all of said bill after the enacting clause and inserting in lieu thereof the following :

SECTION 1. *Section seven of an act to incorporate the granite savings bank and trust company, approved November 18, 1882, is hereby amended so as to read as follows :*

*All the business of said corporation shall be managed by a board of directors to consist of not less than five and not more than eleven members, a majority of whom shall constitute a quorum for the transaction of business, who shall be stockholders in said corporation each to the amount of one thousand dollars, and inhabitants of this state, and shall hold their office until the third Monday in January after their appointment and until their successors are appointed and qualified, and shall be elected annually after their first election at such time and place as a majority of the directors for the time being shall direct ; public notice whereof shall be given by publication of the same in a newspaper printed in said Barre, for the space of three weeks next previous to such election, and all such elections shall be made by ballot by the stockholders of said corporation who shall be present in person or by proxy, and the several persons who shall receive the greatest number of votes at such election shall be directors ; and if any two or more persons shall receive an equal number of votes, so that more than five persons shall by a plurality of votes appear to be elected, the stockholders shall proceed to ballot a second time, and by a plurality of votes determine which of said persons so having an equal number of votes shall be directors ; and in case any vacancy shall happen, by death, resignation or otherwise, the vacancy shall be filled from among the stockholders by a majority of the remaining directors. After their election the directors shall elect from their number a president and vice-president and such other officers as they may deem necessary. The said directors shall be liable to the creditors and stockholders of said corporation for any loss which may be sustained in consequence of any incompetency, unfaithfulness or remissness in the discharge of*



*their official duties hereinbefore or hereinafter prescribed, and any number of such directors may be sued in the same action by any claimant under these provisions.*

Also that the bill be further amended by striking out the words, "entitled an act" from the title thereof.

Which was agreed to.

And the bill was passed in concurrence with proposals of amendment.

On motion of Mr. Chamberlin the senate adjourned.

### AFTERNOON.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows ;

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 67. An act in amendment of section 2698, chapter 130, Revised Laws.

H. 71. An act relating to the drawing of grand and petit jurors.

H. 92. An act in relation to the erection and better maintenance of guide posts.

H. 106. An act relating to amendment of process.

H. 143. An act to amend chapter ninety-five of the Revised Laws, relating to estates of homestead.

In the passage of which the concurrence of the senate is requested.

Mr. Taft from the general committee, to which was referred a bill entitled,

S. 27. An act to provide for the fortnightly payment of wages by corporations,

Reported adversely to its passage, and on motion of Mr. Higbee the same was ordered to lie.

Mr. Taft introduced a bill entitled,

S. 61. An act to incorporate the Vermont society for the prevention of cruelty to animals, of Burlington, Vermont.

Which was read the first and second times and referred to the general committee.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 67. An act in amendment of section 2698 of chapter 130, Revised Laws.

H. 92. An act in relation of the erection and better maintenance of guide posts.

To the committee on highways and bridges.

H. 71. An act relating to the drawing of grand and petit jurors.

H. 106. An act relating to amendment of process.

H. 143. An act to amend chapter ninety of the Revised Laws, relating to estates of homesteads.

To the committee on the judiciary.

Mr. Briggs from the committee on the judiciary, to which was referred a senate bill entitled,

S. 39. An act in amendment of an act to incorporate the Vermont Mutual Fire Insurance Company,

Reported in favor of the passage of the bill.

And on motion of Mr. Simonds the same was ordered to lie.

On motion of Mr. Adams the senate adjourned.

FRIDAY, OCTOBER 26, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Bunker (by request),

S. 62. An act to repeal number forty of the acts of 1880, relating to the support and removal of paupers and relief of the insane poor.

To the general committee.

By Mr. Briggs,

S. 63. An act in amendment of section 3813 of the Revised Laws, relating to the punishment of persons found intoxicated.

To the joint committee on state and court expenses.

Mr. Jones from the general committee, to which was referred a bill entitled,

S. 50. An act authorizing the auditor of accounts to appoint a deputy,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time Monday afternoon.

Mr. Bunker offered the following resolution, which was read and adopted :

*Resolved.* That when the senate adjourns this afternoon it be to meet at two o'clock on Monday afternoon, October 29th.

Mr. Jones from the general committee, to which was referred a house bill entitled,

H. 97. An act in addition to an act incorporating the Rutland missionary association, approved, November 2d, 1866,

Reported in favor of the passage of the bill.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

A bill entitled,

S. 39. An act in amendment of an act to incorporate the Vermont Mutual Fire Insurance Company,

Was taken up and ordered to be read the third time Monday afternoon.

On motion of Mr. Perkins the senate adjourned.

### AFTERNOON.

Mr. Johnson from the general committee, to which was referred a house bill entitled,

H. 13. An act incorporating the Bennington improvement society,

Reported in favor of its passage.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Taft from the general committee, to which was referred bills of the following titles :

S. 42. An act changing the time for holding the annual meeting of the Vermont Life Insurance Company ;

S. 61. An act to incorporate the Vermont society for the prevention of cruelty to animals, of Burlington, Vermont,

Reported in favor of the passage of the bills, and they were severally ordered to be read the third time, read the third time and passed.

Mr. Briggs from the joint committee on state and court expenses, to which was referred a bill entitled,

S. 58. An act relating to the collection of fines and costs.

Reported in favor of the passage of the bill, and the same was ordered to be read the third time Monday afternoon.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution granting the use of representatives' hall to the Vermont humane society.

In the adoption of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 13. An act to complete monuments for Gettysburg.

S. 32. An act providing where suits brought by an executor or administrator shall be made returnable.

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 87. An act to amend act thirty-five of the laws of 1886, relating to the compensation of county commissioners.

H. 135. An act to incorporate the village of Wells River.

H. 138. An act to incorporate that part of the village of Swanton included in fire district number one in said village.

In the passage of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bill entitled,

H. 20. An act to amend an act to incorporate the granite savings bank and trust company.

And have concurred therein.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives, That the use of representatives' hall be granted to the Vermont humane society on the evening of November 13th, for a public address.*

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 87. An act in amendment of act thirty-five of the laws of 1886, relating to the compensation of county commissioners.

To the joint committee on state and court expenses.

H. 135. An act to incorporate the village of Wells River.

H. 138. An act to incorporate that part of the village of Swanton in the town of Swanton included in fire district number one in said village.

To the general committee.

On motion of Mr. Taft the senate adjourned.

MONDAY, OCTOBER 29, 1888.

The senate convened at 2 o'clock in the afternoon pursuant to adjournment.

Devotional exercises were conducted by the chaplain.

Journal of Friday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Fisk of Lamoille,

S. 64. An act to incorporate the village of Morrisville.

To the general committee.

By Mr. Adams,

S. 65. An act relating to the distribution of the public school money.

To the committee on education.

Bills of the following titles were severally read the third time and passed:

S. 39. An act in amendment of an act to incorporate the Vermont Mutual Fire Insurance Company.

S. 50. An act authorizing the auditor of accounts to appoint a deputy.

S. 58. An act relating to the collection of fines and costs.

Was read the third time, and on motion of Mr. Bates ordered to lie.

Mr. Parker from the joint committee on state and court expenses, to which was referred a house bill entitled,

H. 87. An act to amend act thirty-five of the laws of 1886, relating to the compensation of county commissioners,

Reported recommending the passage of the bill in concurrence.

Thereupon the same was ordered to be read the third time tomorrow morning.

On motion of Mr. Fisk of Lamoille the senate adjourned.

TUESDAY, OCTOBER 30, 1888.

. Reading of scriptures and prayer by the chaplain.

Journal of Monday read and approved.

A house bill entitled,

H. 87. An act to amend act thirty-five of the laws of 1886, relating to the compensation of county commissioners.

Was read the third time and passed in concurrence.

A bill entitled,

S. 58. An act relating to the collection of fines and costs.

Was taken up, the question being, shall the bill pass?

Mr. Briggs moved that the bill be committed to a senator to amend by adding to section one the following words, *or the death of the respondent*.

Which was agreed to, and the bill was committed to the senator from Rutland to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the passage of the bill was refused.

Yeas 12, nays 15.

Mr. Bates having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Briggs,  
Cramton,  
Fisk, of Lamoyille,  
Giddings,

Jones,  
Parker,  
Perkins,  
Ripley,

Smith,  
Stranahan,  
Taft,  
Terrill.—12.

Those senators who voted in the negative are Messrs.

Adams,  
Bates,  
Bunker,  
Butterfield,  
Chamberlin,

Fisk, of Grand Isle,  
Frery,  
Hammond,  
Holmes,  
Johnson,

King,  
Mansur,  
Matteson,  
Peake,  
Simonds.—15.

So the passage of the bill was refused.

Mr. Ripley (by request) introduced a bill entitled,

S. 66. An act for the preservation of fish, game and birds, and to repeal chapter 170 of the Revised Laws.

Which was read the first and second times and referred to the committee on game and fisheries.

A house bill entitled,

H. 61. An act to amend section 3679 of the Revised Laws, relating to pews in houses of public worship,  
Was taken up and passed in concurrence.

Yeas 19, nays 8.

Mr. Bunker having demanded the yeas and nays, they were taken, and are as follows :

Those senators who voted in the affirmative are Messrs.

Briggs,  
Butterfield,  
Fisk of Grand Isle,  
Fisk of Lamolle,  
Giddings,  
Hammond,  
Holmes,

Johnson,  
Jones,  
Mansur,  
Matteson,  
Parker,  
Perkins,

Ripley,  
Simonds,  
Smith,  
Stranahan,  
Taft,  
Terrill.—19.

Those senators who voted in the negative are Messrs.

Adams,  
Bates,  
Bunker,

Chamberlin,  
Cramton,  
Frary,

King,  
Peake.—8.

So the bill was passed in concurrence.

Mr. Simonds offered the following joint resolution.

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly at two o'clock and thirty minutes in the afternoon on Thursday, November 1st, 1888, for the purpose of electing a sergeant-at-arms, brigade commander, adjutant and inspector general, quartermaster-general, judge advocate general, and three trustees of the University of Vermont and state agricultural college, to serve for the term of six years, from and including December 1st, 1889, and one trustee to serve four years from that date.

Which was read and adopted on the part of the senate.

On motion of Mr. Bates the senate adjourned.

## AFTERNOON.

House bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage in concurrence :

By Mr. Giddings from the committee on the insane asylum,

H. 76. An act providing for the appointment of supervisors of the insane.



By Mr. Fisk of Grand Isle from the committee on highways and bridges,

H. 80. An act for the protection of highways in winter.

By Mr. Parker from the committee on highways and bridges,

H. 92. An act in relation to the erection and better maintenance of guide posts.

And the bills were severally ordered to be read the third time to-morrow.

Mr. Cramton from the committee on manufactures, to which was referred a house bill entitled,

H. 27. An act in amendment of an act entitled "an act to incorporate the Sheldon marble company," approved November 28th, 1882,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time, read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 1. An act for the protection of the public health, and to prevent adulteration of dairy products and fraud in the sale thereof.

H. 7. An act relating to the legal residence of beneficiaries of the soldiers' home.

H. 158. An act amending section 4043 and section 4044, and to repeal section 4047, chapter 182 of the Revised Laws of Vermont, relating to proceedings against towns for damages done by dogs.

H. 199. An act in relation to the execution of warrants for the commitment to the state prison, house of correction and the reform school.

In the passage of which the concurrence of the senate is requested.

The house has considered senate bills of the following titles:

S. 33. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators.

S. 34. An act to pay B. F. Kelley the sum therein named.

And have passed the same in concurrence.

Mr. Jones from the committee on the grand list, to which was referred house bills of the following titles:

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887;

H. 50. An act to legalize the grand list including the quadrennial appraisal of the town of Norton for the years 1887 and 1888,

Reported recommending the passage of the bills in concurrence.

Thereupon the same on motion of Mr. Butterfield were severally ordered to lie.

A house bill entitled,

H. 1. An act for the protection of the public health, and to prevent adulteration of dairy products and fraud in the sale thereof,

Was taken up and re-referred to the committee on agriculture.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 7. An act relating to the legal residence of beneficiaries of the soldiers' home.

To the committee on military affairs.

H. 158. An act amending section 4043 and section 4044, and to repeal section 4047, chapter 182 of the Revised Laws of Vermont, relating to proceedings against towns for damage done by dogs.

H. 199. An act in relation to the execution of warrants for the commitment to the state prison, the house of correction and the reform school.

To the committee on the judiciary.

Mr. Briggs from the committee on the judiciary, to which was referred a bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes,

Reported in favor of the passage of the bill when amended as follows:

*First.* By inserting after the word "estate" in line one, section one, the words, *except United States deposit money.*

*Second.* By striking out in line two, same section, the words "the use of schools or for keeping in order any burial ground or for any other purpose" and inserting in lieu thereof the words, *any purpose.*

*Third.* By striking out in lines twelve and sixteen, same section, the words, "from the first day of July."

*Fourth.* By striking out in line nineteen, same section, the

words "remaining trustees" and inserting in lieu thereof the words, *board of selectmen.*

*Fifth.* By striking out in line twenty-six, of the same section, the words "vote of such town" and inserting in lieu thereof the words, *board of selectmen.*

*Sixth.* By inserting after the word "funds" in line ten, section two, the words, *and may in the name of the town prosecute and defend actions for the recovery and protection of the estate so entrusted to their care.* Also by striking out at the end of the same section the word "elections" and inserting in lieu thereof the word, *sections.*

*Seventh.* By striking out in line five, section four, before the word "cemetery" the word "and" and inserting after the word "commissioners" in the same line and section the words, *and town treasurer.*

Which proposals of amendment were severally agreed to, and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Chamberlin the senate adjourned.

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WEDNESDAY, OCTOBER 31st, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Tuesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Hammond,

S. 67. An act to pay George J. Hodges the sum therein named.  
To the committee on claims.

By Mr. Stevens,

S. 68. An act to incorporate the Frost veneer seating company.  
To the committee on manufactures.

By Mr. Mansur,

S. 69. An act for the better preservation of horse records.

To the committee on manufactures.

A bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes.

Was read the third time and passed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered a joint resolution from the senate providing for the election of certain state officers.

And have adopted the same in concurrence.

The house have considered a senate bill entitled,

S. 5. An act appropriating a certain sum for the support of the soldiers' home.

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles :

H. 112. An act to legalize the quadrennial appraisal of real estate in the town of Wheelock for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 125. An act to legalize the grand lists of the town of Orange for the years 1886, 1887 and 1888.

H. 126. An act to legalize the grand lists of the town of Belvidere for the years 1887 and 1888.

H. 144. An act in addition to number 238 of the acts of 1886, entitled "an act to empower the village of West Randolph to bring water into said village and issue bonds for that purpose."

H. 162. An act to amend the charter of the village of Middlebury.

H. 164. An act to amend act number 237 of the laws of 1886.

H. 190. An act to legalize the quadrennial appraisal of the real estate of the town of Ryegate for the year 1886 and the grand lists of said town for the years 1887 and 1888.

H. 201. An act in addition to and amendatory of the charter of the Troy conference academy.

In the passage of which the concurrence of the senate is requested.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 76. An act providing for the appointment of supervisors of the insane.

H. 80. An act for the protection of highways in winter.

H. 92. An act in relation to the erection and better maintenance of guide posts.

A bill entitled,

S. 5. An act appropriating a certain sum for the support of the soldiers' home,

Was taken up, having been returned from the house with proposal of amendment by striking out section two and inserting in lieu thereof the following :

*SECTION 2. The state treasurer is hereby authorized to receive all money due or to become due this state under an act of congress entitled "an act to provide aid to state or territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27th, 1888, and to execute proper receipts for the same, and the auditor of accounts is hereby directed to draw his orders on the state treasurer from time to time, payable to the order of the treasurer of the soldiers' home, not to exceed in the whole the amount of such biennial appropriation, in addition to the sums received by the state treasurer from the United States.*

Which proposal of amendment was concurred in.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 112. An act to legalize the quadrennial appraisal of real estate in the town of Wheelock for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 125. An act to legalize the grand lists of the town of Orange for the years 1886, 1887 and 1888.

H. 126. An act to legalize the grand lists of the town of Belvidere for the years 1887 and 1888.

H. 190. An act to legalize the quadrennial appraisal of real estate of the town of Ryegate for the year 1886, and the grand lists of said town for the years 1887 and 1888.

To the committee on the grand list.

H. 144. An act in addition to number 238 of the acts of 1886, S. 7.

entitled "an act to empower the village of West Randolph to bring water into said village, and issue bonds for that purpose."

H. 162. An act to amend the charter of the village of Middlebury.

H. 164. An act to amend number 237 of the acts of 1886, empowering the village Barton to bring water into said village and to issue bonds therefor.

H. 201. An act in addition to and amendatory of the charter of the Troy conference academy.

To the general committee.

A bill entitled,

S. 9. An act relating to the legal residence of the beneficiaries of the soldiers' home,

Was taken up, and on motion of Mr. Mansur indefinitely postponed.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the senate that on the 29th day of October he approved and signed a bill originating in the senate of the following title, to wit:

S. 32. An act providing where suits brought by an executor or administrator shall be made returnable.

That on the 30th day of October he approved and signed a bill originating in the senate of the following title, to wit:

S. 30. An act to pay B. F. Kelley the sum therein named.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

By Mr. Mansur from the committee on military affairs,

H. 7. An act relating to the legal residence of beneficiaries of the soldiers' home.

H. 56. An act to exempt soldiers and sailors aged sixty years from the payment of a poll-tax.

By Mr. Matteson from the committee on highways and bridges,

H. 67. An act in amendment of section 2698 of chapter 180, Revised Laws.

Whereupon the bills were severally ordered to be read the third time to-morrow.

Mr. Hammond from the committee on the grand list, to which was referred a house bill entitled,

H. 73. An act to legalize the grand lists of the town of Irasburgh for the years 1887 and 1888,

Reported recommending the passage of the bill in concurrence.

Mr. Butterfield moved that the bill be laid upon the table.

And the same was disagreed to.

Mr. Butterfield moved that the senate propose to the house to amend the bill by adding to section one the words, *so far as said lists are illegal by reason of not having been signed by the listers.*

Which was disagreed to.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Yeas 18, nays 7.

Mr. Butterfield having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Bell,  
Briggs,  
Bunker,  
Cramton,  
Fisk of Grand Isle,  
Giddings,

Hammond,  
Holmes,  
Johnson,  
Jones,  
King,  
Mansur,

Matteson,  
Peake,  
Perkins,  
Simonds,  
Smith,  
Stranahan.—18.

Those senators who voted in the negative are Messrs.

Adams,  
Butterfield,  
Frary,

Ripley,  
Stevens,

Taft,  
Terrill.—7

So the bill was passed in concurrence.

House bills of the following titles were severally reported from the committee on railroads to which they were referred, in favor of their passage in concurrence:

By Mr. Holmes,

H. 43. An act to incorporate the Brattleboro street railroad company.

By Mr. Terrill,

H. 100. An act to extend the time for the completion of the Montpelier and White river railroad.

Thereupon the bills were severally ordered to be read the third time.

Read the third time and passed in concurrence.

On motion of Mr. Mansur the senate adjourned.

## AFTERNOON.

Mr. Hammond from the committee on the grand list, to which was referred a house bill entitled,

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1887,

Reported recommending the passage of the bill in concurrence.

And the same was ordered to be read the third time to-morrow.

A house bill entitled,

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887,

Was taken up, and the question being, shall the bill be read the third time?

Mr. Butterfield moved that the senate propose to the house to amend the bill by adding to section one the words, *so far as any informality or illegality shall exist in said list or taxes by reason of an imperfect heading to the abstract filed or by reason of any lack of heading to said abstract.*

Pending the question, will the senate agreed to the same? on motion of Mr. Hammond the bill was ordered to lie.

On motion of Mr. Giddings the senate adjourned.



## THURSDAY, NOVEMBER 1st, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows :

By Mr. Matteson,

S. 70. An act in amendment of the charter of the village of Bennington.

To the committee on the judiciary.

By Mr. Smith,

S. 71. An act for the relief of the West Fairlee savings bank.

To the committee on finance.

By Mr. Matteson,

S. 72. An act relating to the proof of claims in insolvency.

To the committee on the judiciary.

By Mr. Bates,

S. 73. An act to set the town of Greensboro to Caledonia county.

To the general committee.

By Mr. Frary,

S. 74. An act to incorporate the Universalist convention of Vermont and Province of Quebec.

To the general committee.

By Mr. Taft,

S. 75. An act in aid of collections of executions against property.

To the committee on the judiciary.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their

part adopted a joint resolution relating to adjournment of the two houses from Friday, November 2d, to Wednesday, November 7th,

In the adoption of which the concurrence of the senate is requested.

The house have passed bills of the following titles :

H. 17. An act to repeal section two of an act entitled "an act to provide a revenue for the payment of state expenses," approved November 28, 1882, and to amend certain sections of the same act herein named.

H. 179. An act to amend section 4460 of the Revised Laws, relating to the discharge of convicts from the state prison and house of correction.

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof.

H. 212. An act to incorporate the Woodstock cemetery association.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 39. An act in amendment of an act to incorporate the Vermont Mutual Fire Insurance Company.

S. 42. An act changing the time for holding the annual meeting of the Vermont Life Insurance Company.

S. 43. An act to amend section 3276 of the Revised Laws, relating to the formation of private corporations.

S. 61. An act to incorporate the Vermont society for the prevention of cruelty to animals, of Burlington, Vermont.

And have passed the same in concurrence.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 13. An act incorporating Bennington village improvement society.

H. 20. An act to amend an act to incorporate the granite savings bank and trust company.

H. 27. An act in amendment of an act entitled "an act to incorporate the Sheldon marble company" approved November 28, 1882.

H. 32. An act to pay Henry S. Beedle the sum therein named.

H. 61. An act to amend section 3679 of the Revised Laws, relating to repairs of churches.

H. 70. An act granting a ferry to Hiram Loundry, Jr.

H. 93. An act in amendment of section 1980 of the Revised Laws in relation to mortgages on machinery.

H. 97. An act in addition to an act incorporating the Rutland missionary association, approved November 2, 1866.

I am directed to request the senate to return to the possession of the house a joint resolution providing for a joint assembly for the election of certain state officers on Thursday, November 1st, 1888.

Mr. Perkins offered the following resolution, which was read and adopted:

*Resolved*, That no bills shall be introduced in the senate after the 12th day of November, instant, (except such as shall be reported by committees) without the unanimous consent of the senate.

A joint resolution from the house as follows:

*Resolved by the Senate and House of Representatives*, That when the houses adjourn on Friday forenoon this week they will adjourn to two o'clock in the afternoon of Wednesday the seventh day of November next.

Was read.

Mr. Briggs moved that the senate propose to the house to amend the resolution by striking out the word "forenoon" in line two and inserting in lieu thereof the word *afternoon*,

Which proposal of amendment was agreed to.

Yeas 17, nays 11.

Mr. Briggs having demanded the yeas and nays, they were taken, and are as follows:

Those senators who voted in the affirmative are Messrs.

Bell,  
Briggs,  
Bunker,  
Butterfield.  
Cramton,  
Fisk of Grand Isle.

Frary,  
Giddings,  
Higbee,  
Jones,  
Matteson,  
Peake.

Perkins,  
Ripley,  
Stranahan,  
Taft,  
Terrill.—17.

Those senators who voted in the negative are Messrs.

Chamberlin,  
Fisk of Lamoylle,  
Hammond,  
Holmes,

Johnson,  
King,  
Mansur,  
Parker,

Simonds,  
Smith,  
Stevens.—11.

So the amendment was agreed to, and the resolution was adopted in concurrence with proposal of amendment.

Mr. Fisk of Lamoylle moved that the senate return to the possession of the house, agreeably to their request, joint resolution providing for a joint assembly for the election of certain state officers on Thursday, November 1st, 1888.

And the same was agreed to.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 17. An act to repeal section two of an act entitled an act to provide a revenue for the payment of state expenses, approved November 28th, 1882, and to amend certain sections of the act herein named.

To the committee on finance.

H. 179. An act to amend section 4460 of the Revised Laws, relating to the discharge of convicts from the state prison and house of correction.

H. 182. An act relating to attachments of real and personal property for the purchase money of the same.

To the committee on the judiciary.

H. 212. An act to incorporate the Woodstock cemetery association.

To the general committee.

House bills of the following titles were severally read the third time and passed in concurrence.

H. 7. An act relating to the legal residence of the beneficiaries of the soldiers' home.

H. 67. An act in amendment of section 2698 of chapter 130, Revised Laws.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a joint resolution from the senate providing for the election of certain state officers, and have adopted the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

A house bill entitled,

H. 56. An act to exempt soldiers and sailors aged sixty years from the payment of a poll-tax,

Was read the third time, and on motion of Mr. Taft ordered to lie.

A house bill entitled,

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1887,

Was read the third time and passed in concurrence.

Yeas 25, nays 5.

Mr. Butterfield having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,	Giddings,	Matteson,
Bell,	Hammond,	Parker,
Briggs,	Higbee,	Peake,
Bunker,	Holmes,	Perkins,
Chamberlin,	Johnson,	Simonds,
Cramton,	Jones,	Smith,
Fisk of Grand Isle,	King,	Stevens,
Fisk of Lamolle,	Mansur,	Stranahan.—25.
Frary,		

Those senators who voted in the negative are Messrs.

Adams,	Ripley,	Terrill.—5.
Butterfield,	Taft,	

So the bill was passed in concurrence.

A joint resolution providing for a joint assembly to elect certain state officers,

Was taken up, having been returned from the house with proposal of amendment as follows :

By striking out the last two lines of said resolution and inserting in lieu thereof, the following: *Also one trustee to serve until and including the first day of December, A. D. 1889, to fill the vacancy occasioned by the death of the late Horace Fairbanks, and one trustee to serve until and including the first day of December, A. D. 1891, to fill the vacancy occasioned by the death of the late Luke P. Poland.*

Which proposal of amendment was concurred in.

A house bill entitled,

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887,

Was taken up.

The question being, will the senate agree to the proposal of amendment offered by the senator from Windham? it was decided in the negative,

Yeas 6, Nays 23.

Mr. Butterfield having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,	Higbee,	Taft,
Butterfield,	Ripley,	Terrill.—6.

Those senators who voted in the negative are Messrs.

Bates,  
Bell,  
Briggs,  
Chamberlin,  
Cramton,  
Fisk, of Grand Isle,  
Fisk, of Lamolille,  
Frary,

Giddings,  
Hammond,  
Holmes,  
Johnson,  
Jones,  
King,  
Mansur,  
Matteson,

Parker,  
Peake,  
Perkins,  
Simonds.  
Smith,  
Stevens,  
Stranahan.—23.

So the proposal of amendment was disagreed to.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

A house bill entitled,

H. 50. An act to legalize the grand lists including the quadrennial appraisal of the town of Norton for the years 1887 and 1888,

Was taken up.

Mr. Butterfield moved that the senate propose to the house to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

*SECTION 1. The quadrennial appraisal of all the towns in this state, taken in the year 1886, and the grand lists in all the towns of this state for the years 1887 and 1888, together with all taxes heretofore assessed or hereafter to be assessed on any and all of said grand lists, are hereby declared legal and valid.*

Pending the question, will the senate agree to the same? on motion of Mr. Mansur the senate adjourned.

## AFTERNOON.

A house bill entitled,

H. 50. An act to legalize the grand list, including the quadrennial appraisal of the town of Norton for the years 1887 and 1888,

Was taken up as unfinished business.

The question being, will the senate agree to the proposal of amendment offered by the senator from Windham? it was decided in the negative,

Yeas 1, nays 28.

Mr. Butterfield having demanded the yeas and nays, they were taken, and are as follows :

That senator who voted in the affirmative was

Mr. Butterfield.

Those senators who voted in the negative are Messrs.

Bates,  
Bell,  
Briggs,  
Bunker,  
Chamberlin,  
Cramton,  
Fisk of Grand Isle,  
Fisk of Lamotte,  
Frary,  
Giddings,

Hammond,  
Higbee,  
Holmes,  
Johnson,  
Jones,  
King,  
Mansur,  
Matteson,  
Parker,

Peake,  
Perkins,  
Ripley,  
Simonds,  
Smith,  
Stevens,  
Stranahan,  
Taft,  
Terrill.—28.

So the amendment was disagreed to.

Thereupon the bill was ordered to be read the third time tomorrow.

Mr. Butterfield from the committee on the judiciary, to which was referred a bill entitled,

S. 56. An act providing for the revision of the public laws of this state,

Reported adversely to the passage of the bill, and the same was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposal of amendment to a joint resolution relating to adjournment of the two houses from Friday, November 2d, to Wednesday, November 7th,

And have concurred therein.

The house have passed bills of the following titles :

H. 131. An act to pay Gardner J. Wallace the sum therein named.

H. 165. An act to amend section 4050, chapter 182, Revised Laws, relating to dogs, and in addition thereto.

H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines.

H. 184. An act in amendment of number 175 of the acts of 1886, relating to citizens' savings bank and trust company, of St. Johnsbury.

H. 193. An act to incorporate the Lyndon investment and guarantee company.

H. 198. An act to legalize the quadrennial appraisal of real estate in the town of Johnson in 1886, and the grand lists of said town for 1887 and 1888.

H. 202. An act to amend section 4250 of the Revised Laws, relating to offences against chastity and morality.

H. 211. An act in amendment of number thirty-eight of the public acts of 1886, relating to the traffic in intoxicating liquors.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 23. An act in amendment of act number 180 of the session laws of 1884, relating to the duties of the trustees of the soldiers' home.

S. 44. An act in relation to highways and bridges in unorganized towns and gores.

S. 50. An act authorizing the auditor of accounts to appoint a deputy.

And have passed the same in concurrence.

The house have considered a senate bill entitled,

S. 11. An act in amendment of chapter twenty-two of the Revised Laws, relating to taxation,

And have refused the same a third reading.

The hour having arrived for a meeting of the two houses in joint assembly, the senate repaired to the hall of the house.

Having returned therefrom,

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 31st day of October he approved and signed a bill originating in the senate of the following title, to wit :

S. 33. An act in addition to chapter 105 of the Revised Laws, relating to executors and administrators.

That he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 13. An act to complete monuments for Gettysburg.

S. 42. An act changing the time for holding the annual meeting of the Vermont Life Insurance Company.

S. 39. An act in amendment of an act to incorporate the Vermont Mutual Fire Insurance Company.



S. 43. An act to amend section 3276 of the Revised Laws.

S. 5. An act appropriating a certain sum for the support of the soldiers' home.

Mr. Taft from the committee on the judiciary, to which was referred a bill entitled,

S. 47. An act to repeal sections 2363 and 2364 of the Revised Laws, relating to divorce proceedings,

Reported in favor of the passage of the bill.

And the same was ordered to be read the third time to-morrow.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Chamberlin from the committee on agriculture,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

By Mr. King from the committee on railroads,

H. 65. An act to incorporate the Mount Mansfield railroad company.

Thereupon the bills were severally ordered to be read the third time to-morrow.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 165. An act in amendment of section 4050, chapter 182, Revised Laws, relating to dogs, and in addition thereto.

H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines.

To the general committee.

H. 131. An act to pay Gardner J. Wallace the sum therein named.

To the committee on claims.

H. 184. An act in amendment of number 175 of the acts of 1886, relating to the citizens' savings bank and trust company of St. Johnsbury.

H. 193. An act to incorporate the Lyndon investment and guarantee company.

To the committee on banks.

H. 198. An act to legalize the quadrennial appraisal of real estate in the town of Johnson in 1886, and the grand list of said town for 1887 and 1888.

To the committee on the grand list.

H. 202. An act to amend section 4250 of the Revised Laws, relating to offences against chastity and morality.

H. 211. An act in amendment of number 38 of the public acts 1886, relating to the traffic in intoxicating liquors.

To the committee on the judiciary.

Mr. Giddings from the committee on the insane asylum, submitted the following joint report :

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

Your committees on insane asylum of the senate and on the insane of the house beg leave to report :

In obedience to your instructions, we first visited the asylum at Brattleboro, and examined as thoroughly as we could its condition and management. There can be no question but what the trustees and superintendent have shown large business capacity, and thorough devotion to its interests, in their management of the institution. During the past two years valuable improvements have been made, especially in the construction of parks and summer retreats for both men and women. The representations made by the officers of the asylum in regard to its over-crowded condition, are unquestionably correct. We found in many rooms two or three beds, where it would doubtless be better for the patients if there was but one. The opinion of all with whom your committee conversed, was that the limit should not exceed four hundred ; there are now there four hundred and seventy. What to do to relieve the asylum from its present surplus and provide for others who will need the care of the state, is a problem which your committees find very difficult of solution. The peculiar relation which the state holds to the asylum, makes it especially difficult for us to decide what to recommend. If it was an institution owned by the state, we should at once recommend that any enlargement of capacity necessary should be in connection with, or upon the grounds of the present asylum. Perhaps it may be best for your committee, to state very briefly to your honorable bodies, the history of the Vermont asylum. It had its inception in a legacy of ten thousand dollars, left by the will of Mrs. Annah Marsh, in 1834, to establish an asylum for the insane at some place in Windham county. The will named four trustees, all of them prominent men, who were to have the sole care and supervision of its affairs, and any vacancy to be filled by the remaining trustees. Upon their application the legislature granted them a charter, reserving the right of any future legislature to "modify, alter, and amend this act, so far as to provide for the more perfect and effectual accomplishment of the objects of this act."

The trustees very soon asked the state for additional funds to enable them to commence and complete suitable buildings. These requests the state invariably acceded to as soon as made, until it

had given twenty-three thousand dollars. This brings us up to 1844, when we find the asylum with fifty-one acres of land, and buildings with a possible capacity for two hundred patients, all constructed and paid for out of the above thirty-three thousand dollars. Your committees do not find that it has ever received from any source, as a gift, any money or land, except as above. From this beginning, by the unequaled management of its officers, the present property, invoicing nearly half a million dollars, has grown. The officers very naturally indulge a laudable pride in the institution, which their unselfish efforts have built up. They acknowledge, as stated in the acts of the legislature making appropriations for their aid, that preference should be given in admissions to resident citizens of Vermont. They do not consider that this obligation extends to the transient insane, who since the passage of the "Poland pauper law," have come in in such large numbers, now amounting to about one hundred and thirty; they have however, as yet, taken all such who have been sent there. They say that they are willing to carry out their obligations to the state, to the fullest extent that their capacity will allow. They do not admit, however, that the state has any right to say to them that they shall enlarge, or dictate in regard to the management. Upon the other hand, your honorable bodies may say that the asylum has grown far beyond the anticipations of the original testator, and has become a state necessity; that, in the changed condition, and, as it was only giving large scope to her benevolent intentions, the state ought not to be bound by the strict letter of her will, but has the right, and would be in duty bound, to take such control of its affairs as the legislature might consider best for its interests. The whole subject, in the minds of your committee, resolves into these three propositions:—

1st. Will the state ask the present trustees to enlarge the asylum sufficiently to care for all the patients which it may need to send them, upon the same terms that it is now caring for them? or—

2d. Will the state try to assume some direct control over the asylum? or—

• 3d. Will the state proceed at once to the erection of a new asylum? It seems to your committees that it is very important that you should give to this subject your early and considerate attention. The fact that there are in our state nearly nine hundred insane persons, and that the state has no acknowledged, legal right to any place for their care, is certainly a sufficient warrant for urgency in providing for them.

In regard to the criminal and convict insane, your committees regret that they are obliged to differ from those whose ability and experience is larger than their own, as to the expediency of erecting a separate asylum for this class. The number is only eighteen, and not expected to materially increase. It seems to your com-

mittee that the expense for making special provision for so small a number would be very much larger than if cared for in some other way. If a new asylum should be built, it is our impression that a ward might be made, suitable for them, or perhaps some of the worst might be provided for in the criminal asylums of the larger states.

L. D. HAZEN, Chairman.

H. GIDDINGS,	}	COMMITTEE OF SENATE.
S. F. FRARY,		
W. W. HIGBEE,		

DON D. GROUT,	}	COMMITTEE OF HOUSE.
T. A. COOTEY,		
W. J. SPERRY,		
O. L. NIMBLET,		
JAMES HAYLETT,		
W. H. H. VARNEY,		

And the same on motion of Mr. Giddings was ordered to lie, and the secretary was directed to procure the printing of the usual number of copies for the use of the general assembly.

On motion of Mr. Bunker the senate adjourned.

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FRIDAY, NOVEMBER, 2d, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Briggs,

S. 76. An act to incorporate the Brandon yarn and knitting company.

To the committee on manufactures.

By Mr. Matteson (by request),

S. 77. An act relating to married women.

By Mr. Terrill,

S. 78. An act to amend number sixty of the laws of 1884 in regard to qualifications of voters.

To the committee on elections.

By Mr. Taft,

S. 79. An act for the relief of towns which bonded to aid railroads.

To the general committee.

Mr. Jones moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1887.

And the same was agreed to.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 85. An act relating to the grammar school lands in the town of Fayston.

H. 95. An act abolishing per capita assessments.

H. 197. An act to legalize the quadrennial appraisal of real estate in the town of Morgan for the year 1886, and the grand lists of said town for the years 1887 and 1888.

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed a bill originating in the house entitled,

H. 87. An act in amendment of act thirty-five of the laws of 1886, relating to the compensation of county commissioners.

The house have considered a senate bill entitled,

S. 17. An act to amend section six of number seventy-seven, session laws of 1854.

And have refused the same a third reading.

A bill entitled,

S. 47. An act to repeal sections 2363 and 2364 of the Revised Laws, relating to divorce proceedings.

Was read the third time and passed.

S. 8.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 65. An act to incorporate the Mount Mansfield railroad company.

H. 50. An act to legalize the grand lists, including the quadrennial appraisal of the town of Norton for the years 1887 and 1888.

A house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

Was read the third time, and on motion of Mr. Matteson ordered to lie and be made the special order for Thursday next at two o'clock and thirty minutes in the afternoon.

House bills of the following titles were severally read the first and second times, and referred as follows :

H. 85. An act relating to the grammar school lands in the town of Fayston.

To the committee on education.

H. 95. An act abolishing per capita assessment.

H. 197. An act to legalize the quadrennial appraisal of real estate in the town of Morgan for the year 1886, and the grand lists of said town for the years 1887 and 1888.

To the committee on the grand list.

Mr. Johnson from the general committee, to which was referred a bill entitled,

S. 10. An act regulating the holding of caucuses or public meetings of the qualified voters of cities and towns for political purposes,

Reported adversely to its passage, and the same was refused a third reading.

Mr. Johnson from the general committee, to which was referred a bill entitled,

S. 28. An act to incorporate the citizens' light and power company.

Reported in favor of its passage when amended by inserting after the word "legalized" in line five, section three, the words, *to the same extent*.

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time, read the third time and passed.

Mr. Taft from the general committee, to which was referred bills of the following titles :

S. 48. An act in addition to the charter of the village of Woodstock ;

S. 49. An act altering the name of Mary Ann Pus, and constituting her heir-at-law of Hiram H. Gilson and Jennie S. Gilson,

Reported in favor of their passage.

And the same were severally ordered to be read the third time, read the third time and passed.

Mr. Johnson, from the general committee, to which was referred house bills of the following titles :

H. 34. An act in amendment of section one of act number ninety, of the public acts of 1886, relating to check-lists in incorporated villages,

H. 35. An act amending section 2656 of the Revised Laws of Vermont, relating to check-lists in towns,

Reported adversely to their passage in concurrence.

And the same were severally refused a third reading.

Mr. Taft from the committee on the judiciary, to which was referred a house bill entitled,

H. 40. An act providing for the sale of leased property for taxes,

Reported in favor of the passage of the bill in concurrence.

And the same was ordered to be read the third time on Wednesday next.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Cramton from the general committee,

H. 46. An act in amendment of and in addition to number 259 of the acts of 1872, entitled an act to incorporate the village of Richford.

H. 48. An act to incorporate the Richford aqueduct company.

By Mr. Taft from the general committee,

H. 81. An act to amend number 222 of the acts of 1884, entitled, an act to incorporate the village of Proctor.

H. 116. An act to change the name of Flora Ann Hines.

H. 212. An act to incorporate the Woodstock cemetery association.

By Mr. Johnson from the general committee,

H. 78. An act in amendment of act number 157 of the session laws of 1882 to incorporate the farmers' and mechanics' exchange.

By Mr. Matteson from the committee on claims,

H. 131. An act to pay Gardner J. Wallace the sum therein mentioned.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to return to the possession of the senate, agreeably to their request, a house bill entitled,

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1888.

I am directed to request the senate to return to the possession of the house a senate bill entitled,

S. 17. An act to amend section six of number seventy-seven of the session laws of 1854, entitled, an act to incorporate the Vermont episcopal institute,

Mr. Jones moved that the senate reconsider its vote passing in concurrence a house bill entitled,

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887.

Which was agreed to.

Mr. Jones moved that the senate propose to the house to amend the bill by striking out the word "and" after the word "town" in line two, section one, and inserting in lieu thereof the words, *as to*, also by striking out the word "are" in the fourth line of same section and inserting the word *is* in lieu thereof.

Which was agreed, and the bill was passed in concurrence with proposals of amendment.

Mr. Briggs moved that the senate return to the house agreeably to their request a bill entitled,

S. 17. An act to amend section six of number seventy-seven of the session laws of 1854, entitled, an act to incorporate the Vermont episcopal institute,

Which was agreed to.

A bill entitled,

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1888.



Was taken up, having been returned from the house agreeably to the request of the senate.

Mr. Jones moved that the vote of the senate passing the bill in concurrence be reconsidered.

And the same was agreed to.

Thereupon Mr. Jones moved that the senate propose to the house to amend the bill by striking out the word "and" after the word "town" in line two, section one, and inserting in lieu thereof the words, *as to*, also by striking out the word "are" in the fourth line of the same section and inserting in lieu thereof the word *is*.

Which proposals of amendment were agreed to and the bill was passed in concurrence with proposals of amendment.

On motion of Mr. Hammond the senate adjourned.

## AFTERNOON.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 28. An act to enlarge the duties of the state board of health.

H. 145. An act to consolidate, amend and in addition to the various acts heretofore passed concerning the village of Springfield.

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age.

In the passage of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 29. An act making a married woman eligible as guardian of her husband under the provisions of chapter 125 of the Revised Laws.

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 28. An act in addition to sections three and six of number ninety-three of the acts of 1886, to enlarge the duties of the state board of health.

To the committee on public health.

H. 145. An act to consolidate, amend, and in addition to the various acts heretofore passed concerning the village of Springfield.

To the general committee.

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age.

To the special joint committee on temperance legislation.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

**MR. PRESIDENT :**

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 50. An act authorizing the auditor of accounts to appoint a deputy.

S. 23. An act in amendment of act number 180 of the session laws of 1884, relating to the duties of the trustees of the soldiers' home.

On motion of Mr. Adams the senate adjourned.

WEDNESDAY, NOVEMBER 7th, 1888.

The senate convened at 2 o'clock in the afternoon pursuant to adjournment.

Reading of scriptures and prayer by the chaplain.

Journal of Friday read and approved.

On motion of Mr. Mansur the senate adjourned.

THURSDAY, NOVEMBER 8th, 1888.

Reading scriptures and prayer by the chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Simonds,

S. 80. An act to protect highways where state aid is furnished.

To the committee on highways and bridges.

By Mr. Adams,

S. 81. An act to equalize and regulate public school instruction.

To the committee on education.

By Mr. Cramton,

S. 82. An act relating to gas and electric light companies.

To the general committee.

By Mr. Johnson,

S. 83. An act to amend section 115 of the Revised Laws, relating to presidential electors.

To the committee on the judiciary.

By Mr. Jones,

S. 84. An act to repeal number sixteen of the public acts of 1886, relating to highways and bridges.

To the general committee.

By Mr. Johnson,

S. 85. An act to incorporate the Woodstock hotel company.

To the general committee.

By Mr. Simonds,

S. 86. An act to pay James L. McCall the sum therein named.

To the committee on claims.

By Mr. Smith,

S. 87. An act to incorporate the comrades of Brooks Post.

To the general committee.

By Mr. Terrill,

S. 88. An act construing and amending section ten of an act entitled "an act to provide for raising six special regiments for immediate service for protecting and defending the constitution and union."

To the committee on finance.

By Mr. Johnson,

S. 88. An act authorizing selectmen to alter school districts.

To the committee on education.

A house bill entitled,

H. 40. An act providing for the sale of leased property for taxes,

Was read the third time and passed in concurrence.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Mansur from the committee on the judiciary,

H. 202. An act to amend section 4250 of the Revised Laws, relating to offences against chastity and morality.

By Mr. Fisk of Lamoille, from the committee on temperance legislation,

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age.

By Mr. Hammond from the committee on the grand list,

H. 125. An act to legalize the grand lists of the town of Orange for the years 1886, 1887 and 1888.

By Mr. Fisk of Lamoille, from the committee on the judiciary,

H. 211. An act in amendment of number thirty-eight of the public acts of 1886.

And the same were severally ordered to be read the third time to-morrow.

Mr. Butterfield from the committee on the judiciary, to which was referred a house bill entitled,

H. 179. An act to amend section 4460 of the Revised Laws, relating to the discharge of convicts from the state prison and house of correction,

Reported in favor of the passage of the bill.

Thereupon the same was ordered to be read the third time, and under a suspension of the rules read the third time and passed in concurrence.

Mr. Cramton from the committee on manufactures, to which was referred a bill entitled,

S. 68. An act to incorporate the Frost veneer seating company,

Reported in favor of the passage of the bill when amended by striking out in lines eight and nine, where it occurs, the word "five" and inserting in lieu thereof the word *three*.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed.

Mr. Taft from the committee on the judiciary, to which was referred a house bill entitled,

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof,

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house to strike out in line one section one, the words "real or."

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 3d day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 44. An act in relation to highways and bridges in unorganized towns and gores.

S. 61. An act to incorporate the Vermont society for the prevention of cruelty to animals, of Burlington, Vermont.

That on the seventh day of November he approved and signed a bill originating in the senate of the following title :

S. 29. An act making a married woman eligible as guardian of her husband, under the provisions of chapter 125 of the Revised Laws.

A bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general,

Was taken up, and on motion of Mr. Bunker ordered to lie and be made the special order for this afternoon at two o'clock and thirty minutes.

On motion of Mr. Perkins the senate adjourned.

## AFTERNOON.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 14. An act in amendment of section 1983 of the Revised Laws, relating so liens.

H. 152. An act giving auditors, referees, arbitrators and commissioners certain powers.

H. 163. An act in amendment of and in addition to section

2420 of the Revised Laws of Vermont, relating to duties of probate courts.

H. 170. An act in amendment of section 2543 of the Revised Laws, in the relation to the changing of names.

H. 189. An act to amend an act entitled an act to incorporate the Laurel Glen cemetery association.

H. 222. An act in amendment of section 2310 of the Revised Laws of Vermont, relating to marriage.

H. 228. An act to incorporate the Sunderland and East Arlington congregational society.

H. 235. An act to incorporate the Algonquin Club, of Burlington, Vt.

H. 239. An act to incorporate the Sprague centennial library and Brandon ladies' book club.

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles:

H. 43. An act to incorporate the Brattleboro street railroad company.

H. 67. An act in amendment of section 2698 of chapter 130, Revised Laws.

H. 73. An act to legalize the grand lists of the town of Irasburgh for the years 1887 and 1888.

H. 76. An act providing for the appointment of supervisors of the insane.

H. 80. An act for the protection of highways in winter.

H. 92. An act in relation to the erection and better maintenance of guide posts.

H. 100. An act to extend the time for the completion of the Montpelier and White river railroad.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

Mr. Fisk of Lamoille,

S. 90. An act to enable towns to aid in commemorating centennial anniversaries.

To the general committee.

By Mr. Taft,

S. 91. An act in amendment of section 403, Revised Laws, relating to sale of lands of non-residents for taxes.

To the committee on the judiciary.

By Mr. Stranahan,

S. 92. An act to provide for the care and beautifying of cemeteries and lots therein, and to authorize towns to accept and hold sums of money donated therefor.

To the general committee.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens.

H. 152. An act giving auditors, referees, arbitrators and commissioners certain powers.

H. 163. An act in amendment of and in addition to section 2420 of the Revised Laws of Vermont, in relation to duties of probate courts.

H. 222. An act in amendment of section 2310 of the Revised Laws, relating to marriage.

To the committee on the judiciary.

H. 170. An act in amendment of section 2543 of the Revised Laws, in relation to the changing of names.

H. 189. An act to amend an act entitled "an act to incorporate the Laurel Glen cemetery association.

H. 228. An act to incorporate the Sunderland and East Arlington congregational society.

H. 265. An act to incorporate the Algonquin Club of Burlington, Vermont.

H. 239. An act to incorporate the Sprague centennial library and Brandon ladies' book club.

To the general committee.

A house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

Was taken up as a special order, and pending consideration of the same, on motion of Mr. Higbee ordered to lie.

A bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general,



Was taken up as a special order, and the pending proposal of amendment offered by the senator from Orleans was agreed to.

Mr. Chamberlin moved that the bill be further amended by striking out in line five, section one, the word "eight" and inserting in lieu thereof the word *six*.

Which was agreed to, and the bill was ordered to be read the third time.

Yeas 23, nays 5.

Mr. Taft having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Bates,  
Bell,  
Briggs,  
Bunker,  
Chamberlin,  
Cramton,  
Fisk of Grand Isle,

Giddings,  
Hammond,  
Johnson,  
Jones,  
King,  
Mansur,  
Matteson,  
Parker,

Peake,  
Perkins,  
Simonds,  
Smith,  
Stevens,  
Stranahan,  
Terrill.—23.

Those senators who voted in the negative are Messrs.

Butterfield.  
Frery,

Higbee,  
Holmes,

Taft.—5.

So the bill was ordered to be read the third time to-morrow.

Mr. Bates presented the following joint report, and the same on motion of Mr. Johnson was ordered to lie, and the secretary was directed to procure the printing of the usual number of copies for the use of the general assembly :

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

The joint committee to consider the bill, relating to an appropriation for the construction of a bridge from Grand Isle to North Hero, in pursuance of a joint resolution instructing us to visit the location of the proposed bridge, respectfully report that we have performed that duty and have heard witnesses; and submit the following facts for your consideration, to wit :

There are five towns in Grand Isle county. Alburch is a promontory extending southerly from Canada. Isle La Motte is an island west of the southern portion of Alburch and connected with it by a bridge. North Hero is a island south of Alburch and connected with it by a bridge. Grand Isle and South Hero complete what is called the South Island and lies south of North Hero, and separated from it by a channel 1,875 feet wide; and this point is the location of the proposed bridge.

The direct travel and mails through this county, north and south, is across this channel by ferry. The county buildings are situated on North Hero, and all the court business and county and probate

business is done there. The main thoroughfare through the county is across this channel.

Alburgh is the railroad station most accessible for a greater portion of South Island. It appeared that there is quite an amount of travel across the channel, and that there would be much more if there was a bridge. It is the only route through the county and is used and is necessary for commercial travelers, business men, produce buyers and strangers having business through the county. About one month in the fall and six weeks in the spring, and days during other parts of the year, this channel is impassable. Accidents to those crossing are not infrequent, which have been attended several times with loss of life, and these accidents happen oftener to strangers than to the inhabitants of the islands. There are times when direct communication between the islands across this passage is entirely cut off, and there is great delay in conducting business, as well as an increased expense.

The South island is about thirteen miles long and averaging three miles wide. The land is fertile and devoted to agricultural purposes and fruit raising, and we think that there is no place in the state that excels it in these respects.

The grand list of this island is about \$6,000, and there are about fourteen hundred inhabitants.

The people exhibit a commendable spirit of enterprise and thrift, but are not rich. They are not excessively burdened by taxation, but the difficulties of transportation and the inconvenience in doing business are constant drains on their resources and great hindrance to their success and improvement.

The waters surrounding these islands are navigable, and a bridge cannot be built without an act of congress. An act has passed congress granting permission to build a bridge at the place named, with a draw of eighty feet. The draw will necessitate the building of three piers, at an expense, including the draw, of \$15,000.

The Isle La Motte bridge cost \$25,000 and the North Hero bridge cost \$50,000. The state appropriated for the construction of these bridges one-half of the expense of each, and the towns the other half. The main expense of the two bridges already built was born by North Hero and Isle LaMotte, Alburgh contributing, North Hero having at present a bonded debt incurred in building her bridge of \$16,000, with a grand list of \$2,600.

The proposed bridge, we believe, can be built for \$40,000, and probably for less. The channel is not as deep as at the North Hero bridge, and all except the space for the draw can be filled, which will be much cheaper than spans and piers similiar to the North Hero bridge.

The United States has appropriated several thousand dollars for dredging the channel near the proposed bridge, and the agent of the government informed the committee that the material obtained

from dredging could be used in the fill to the bridge, which would lessen the expense of the bridge.

The people of Grand Isle county are exceedingly anxious that the bridge should be built, but see no way that it can be done without state aid.

The amount asked from the state is not to exceed \$20,000, and the construction of the bridge will extend probably over four or five years, so that the appropriation will not exceed \$5,000 per year.

This bridge will be the last to connect the islands together and make a connected county, giving ingress and egress to the inhabitants of Grand Isle county and the other parts of the state. It will finish the demands of this county for state aid. The expense of the county will be borne almost wholly by South Island, which will make the burden of the respective towns of the county for the three bridges fully equal and probably greater than that of any town in the state for highways and bridges.

The bill now before the legislature passed the senate of 1886, and would have passed the house but for the large appropriations that had been previously made, and meets the approval of leading men in the different parts of the state.

The committee are unanimously of the opinion that the convenience of individuals and the public good require the bridge, that the people of the islands cannot build it without aid, that the larger part of the expense must come from South island by reason of the heavy burden already resting upon the other towns, and that the bridge will so increase the value of real estate upon the islands as to make it a pecuniary investment for the state, and will ever be a proof of state enterprise, and a pride to its projectors and promoters.

We therefore recommend that the aid asked be granted.

HENRY C. BATES,	}	COMMITTEE ON PART OF SENATE.
GEORGE HAMMOND,		
J. W. CRAMTON,		
W. P. MATTESON,		
H. J. PARKER,	}	COMMITTEE ON PART OF HOUSE.
N. L. BOYDEN,		
D. F. CHAPMAN,		
F. A. BARROWS,		
J. H. GEORGE,		
J. E. WEEKS,		
D. K. PATRICK,		
E. F. BRIGGS,		

Mr. Bates from the special committee, to which was referred a bill entitled,

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero,

Reported in favor of the passage of the bill when amended as follows:

*First.* By filling the blank in line one, section twenty-two, with the words, *twenty thousand*.

*Second.* By striking out in line three, section twenty-three, the words "a personal" and inserting after the words "examination of" same line and section, the words, *the engineer's estimates of*.

*Third.* By adding a new section after section twenty-seven as follows:

SECTION 28. *If neither of the towns named in section of this act or the county of Grand Isle vote to accept the provisions of this act, and build said bridge, and the corporators do proceed to build it, then any of the towns in Grand Isle county may at any town meeting legally warned for such purpose, vote a sum not exceeding the grand list of such town, to said corporation for the purpose of aiding in the construction of said bridge.*

And by remembering the sections consecutively.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Hammond the senate adjourned.

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FRIDAY, NOVEMBER 9th, 1888.

Reading of scriptures and prayer by the chaplain.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Butterfield,

S. 93. An act to amend section 3013 of the Revised Laws, relating to laying out winter roads.

To the committee on highways and bridges.

By Mr. Smith (by request),

S. 94. An act to pay the St. Regis Indians the sum therein named.

To a special committee consisting of

Senator Jones,  
Adams,  
Bell.

My Mr. Taft,

S. 95. An act to amend the charter of the Winooski and Burlington horse railroad company, approved October 31, 1872.

To the general committee.

By Mr. Cramton,

S. 96. An act to prevent nuisances.

To the special joint committee on public health.

By Mr. Bates,

S. 97. An act defining the qualifications of witnesses in civil proceedings.

To the committee on the judiciary.

Mr. Smith presented the memorial of the St. Regis Indians urging the passage of S. 94, and the same was referred with the bill to the special committee.

Mr. Bates offered the following resolution, which was read and adopted:

*Resolved*, That the reading of the senate journal at the opening of the morning session, be omitted hereafter unless the reading thereof is asked for by some senator.

A bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general,

Was read the third time and passed.

A bill entitled,

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero,

Was read the third time, and on motion of Mr. Johnson ordered to lie.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

S. 9.

MR. PRESIDENT :

I am directed to inform the senate that the house have passed a bill entitled :

H. 123. An act in addition to an act to incorporate the village of Windsor, approved November 21, 1884.

In the passage of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bills of the following titles :

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887.

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1887.

And have concurred therein.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 125. An act to legalize the grand lists of the town of Orange for the years 1886, 1887 and 1888.

H. 202. An act to amend section 4250 of the Revised Laws, relating to offences against chastity and morality.

H. 211. An act in amendment of No. 38 of the public acts of 1886.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed a bill entitled,

H. 124. An act to incorporate the Maritime canal company of Nicaragua.

In the passage of which the concurrence of the senate is requested.

A house bill entitled,

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age,

Was read the third time.

Thereupon the passage of the bill was refused. Yeas, 12 ; nays, 14.

Mr. Taft having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Bell,  
Briggs,  
Bunker,  
Butterfield,

Fisk, of Lamofille,  
Higbee,  
Johnson,  
Mansur,

Matteson,  
Parker,  
Simonds,  
Taft.—12.

Those senators who voted in the negative are Messrs.

Adams,  
Bates,  
Chamberlin,  
Cramton,  
Fisk, of Grand Isle,

Frary,  
Giddings,  
Hammond,  
King,  
Peake,

Perkins,  
Smith,  
Stranahan,  
Terrill.—14.

So the passage of the bill was refused.

A house bill entitled,

H. 182. An act relating to attachment of real and personal property for the purchase money of the same,

Was read the third time and passed in concurrence with proposal of amendment.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 123. An act in addition to an act to incorporate the village of Windsor, approved November 21, 1884.

H. 124. An act to incorporate the Maritime canal company of Nicaragua.

To the general committee.

Mr. Bates from the general committee to which was referred a bill entitled,

S. 24. An act to incorporate the Crescent hotel company in Pawlet,

Reported in favor of the passage of the bill when amended by adding to section two the following:

*The business of this company shall be managed by a board of directors, the number of said directors, their term of office and the manner in which they shall be chosen, together with all other necessary provisions for the management of the affairs of the company, shall be fixed by the by-laws, and service of legal process of any kind upon any director of the company, shall be sufficient service upon the company.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed.

Mr. Bates from the committee on the judiciary to which was referred a bill entitled,

S. 40. An act in relation to electric light companies,

Reported adversely to its passage, and the same was refused a third reading.

Mr. Fisk of Grand Isle, from the committee on the grand list to which was referred a house bill entitled,

H. 190. An act to legalize the quadrennial appraisal of the real estate of the town of Ryegate for the year 1886, and the grand lists of said town for the years 1887 and 1888,

Reported in favor of the passage of the bill in concurrence with proposal of amendment by striking out the word "and" before the word "all" in line four section one, and inserting in lieu thereof the words *as to*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

Mr. Taft from the general committee to which was referred a house bill entitled,

H. 124. An act to incorporate the Maritime canal company of Nicaragua,

Reported in favor of its passage in concurrence, and the same was ordered to be read the third time at two o'clock and thirty minutes in the afternoon on Tuesday next.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Bates from the general committee,

H. 138. An act to incorporate that part of the village of Swanton included in fire district No. 1 in said village.

By Mr. Taft from the committee on the judiciary,

H. 152. An act giving auditors, referees, arbitrators and commissioners certain powers.

By Mr. Bates from the committee on the judiciary,

H. 158. An act amending section 4043 and section 4044, and to repeal section 4047 chapter 182 of the Revised Laws of Vermont, relating to proceedings against towns for damage done by dogs.

H. 163. An act in amendment of and in addition to section 2420, of the Revised Laws of Vermont, in relation to duties of probate courts.

And the bills were severally ordered to be read the third time to-morrow.

Mr. Frary presented the remonstrance of Andrew Renfrew and 349 others, citizens of Newbury, against the passage of house bill 135.



Which was read and referred to the general committee.

Mr. Taft from the general committee to which was referred a house bill entitled,

H. 132. An act changing the name of Lynn R. Balch,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Mansur from the committee on the judiciary to which was referred a house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction and the reform school,

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows:

By adding to section one the following words:

*But in case the fees charged on the warrant are increased by reason of the court's complying with such request, the auditor of accounts shall equitably apportion the legal fees among the different officers entitled thereto, provided, however, that no commitment shall be illegal by reason of being made by any other officer.*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Johnson, the senate adjourned.

## AFTERNOON.

Mr. Peake from the committee on banks to which was referred a house bill entitled,

H. 184. An act in amendment of No. 175 of the acts of 1886 relating to the Citizens savings bank and trust company of St. Johnsbury,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

A bill entitled,

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero,

Was taken up and passed.

A bill entitled,

S. 27. An act to provide for the fortnightly payment of wages by corporations,

Was taken up and the same was refused a third reading.

Mr. Giddings from the committee on insane asylum to which was referred a house bill entitled,

H. 59. An act for the better protection of the insane and feeble minded,

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time to-morrow.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

Mr. PRESIDENT:

I am directed to inform the senate that the house have considered a senate bill entitled,

S. 68. An act to incorporate the Frost veneer seating company.

And have passed the same in concurrence.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Fisk of Grand Isle,

S. 98. An act to enable towns to aid in the construction of telephone companies.

To the committee on the judiciary.

By Mr. Bates,

S. 99. An act providing for repairing the court house in Caledonia county, and levying a tax on said county.

To a special committee consisting of the senators from Caledonia county.

A house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof,

Was taken up.

Mr. Higbee moved that the senate propose to the house to amend the bill by adding to section three the following words :

*Nothing in this act shall be construed as prohibiting the use of coloring matter in the manufacture of butter or cheese.*

And the same was agreed to.

Mr. Hammond moved that the senate propose to the house to further amend the bill by striking out after the word "dollars" in line twelve, section three, the words "or by imprisonment in the house or correction not less than thirty days or more than one year, or both of said punishments, in the discretion of the court."

Which proposal of amendment was agreed to.

Mr. Bates moved that the senate propose to the house to further amend the bill by striking out all of section three.

And the same was agreed to. Yeas, 15 ; nays, 11.

Mr. Higbee having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Bunker,  
Butterfield,  
Cramton,  
Frary,

Giddings,  
Holmes,  
Johnson,  
Matteson,  
Peake.

Perkins,  
Simonds,  
Smith,  
Stranahan,  
Taft.—15.

Those senators who voted in the negative are Messrs.

Bell,  
Briggs,  
Chamberlin,  
Fisk of Grand Isle,

Fisk of Lamoille,  
Hammond,  
Higbee,  
Mansur,

Parker,  
Stevens,  
Terrill.—11.

So the amendment was agreed to.

Mr. Fisk of Grand Isle moved that the senate propose to the house to further amend the bill by striking out section four.

And the same was agreed to.

Mr. Bates moved that the senate propose to the house to further amend the bill by striking out in line five, section two, the word "use," also in line six same section, the words "or use," also in line sixteen same section, the word "used."

Which proposals of amendment were agreed to.

Mr. Hammond moved that the senate propose to the house to further amend the bill by adding a section as section three.

*Nothing in this act shall be construed as prohibiting the use of coloring matter in the manufacture of butter or cheese.*

And the same was agreed to.

The question being shall the bill be passed in concurrence with proposals of amendment. It was decided in the negative. Yeas, 12 ; nays, 14.

Mr. Mansur having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Bell,  
Briggs,  
Bunker,

Chamberlin,  
Cramton,  
Frary,  
Hammond,

Higbee,  
Mansur,  
Parker,  
Simonds.—13.

Those senators who voted in the negative are Messrs.

Butterfield.  
Fisk, of Grand Isle,  
Fisk, of Lamolile,  
Giddings,  
Holmes,

Johnson,  
Matteson,  
Peake,  
Perkins,  
Smith,

Stevens,  
Stranahan,  
Taft,  
Terrill.—14.

So the passage of the bill was refused.

A house bill entitled,

H. 74. An act empowering officers of societies for the prevention of cruelty to animals to arrest and prosecute offenders,

Was taken up and ordered to be read the third time to-morrow.

Mr. Parker from the committee on state and court expenses to which was referred a bill entitled,

S. 41. An act to repeal No. 69 of the laws of 1886, relating to appearances in divorce cases,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time to-morrow.

Mr. Terrill moved that the senate reconsider its vote refusing to pass in concurrence with proposals of amendment a house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

And pending the question will the senate agree to the same, on motion of Mr. Mansur, ordered to lie.

On motion of Mr. Perkins, the senate adjourned.

SATURDAY, NOVEMBER 10, 1888.

Devotional exercises were conducted by the chaplain.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Taft,

S. 100. An act in respect to the distribution of the estates of deceased persons.

To the committee on the judiciary.

By Mr. Butterfield,

S. 101. An act to protect the dairy interests of Vermont.

To the committee on agriculture.

By Mr. Bunker,

S. 102. An act to legalize the grand lists for the town of Peacham for the years 1886, 1887 and 1888.

To the committee on the grand list.

By Mr. King (by request),

S. 103. An act in amendment of section 3919 of the Revised Laws, relating to small pox.

To the special joint committee on public health.

By Mr. Higbee (by request),

S. 104. An act to confirm a certain resolution of the city council of the city of Burlington, authorizing the conveyance of certain public land to the Young Men's Christian Association of said city.

To the committee on the judiciary.

By Mr. Briggs,

S. 105. An act in amendment of No. 76 of the laws of 1886 entitled, and act relating to fish in Lake Champlain and its tributaries.

To the joint committee on game and fisheries.

By Mr. Briggs,

S. 106. An act relating to the compensation of persons appointed by the Governor under joint resolutions of the legislature.

To the committee on finance.

A bill entitled,

S. 41. An act to repeal number 69 of the laws of 1886, relating to appearance in divorce cases,

Was read the third time, and on motion of Mr. Bunker, ordered to lie.

A house bill entitled,

H. 190. An act to legalize the quadrennial appraisal of the real estate of the town of Ryegate for the year 1886, and the grand lists of said town for the years 1887 and 1888,

Was read the third time and passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have, on their part, adopted joint resolutions as follows:

Joint resolution granting the use of the hall of the house of representatives to the Sons of Veterans.

Joint resolution relating to payment of expenses of Job Williams and party.

In the adoption of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 17. An act to amend section 6 of number 77, session laws of 1854.

And have passed the same in concurrence.

The house have passed bills of the following titles:

H. 180. An act in amendment of an act entitled an act in relation to the property rights of married women, approved November 26, 1884.

H. 187. An act to pay Jerome Dumas the sum therein named.

H. 192. An act to pay Lewis F. Lillie the sum therein named.

H. 218. An act to legalize the grand lists of the town of Brown-  
ington for the years 1887 and 1888.

H. 223. An act to pay E. D. Somers the sum therein named.

H. 243. An act to change the name of Elinor M. Lawrence.

H. 258. An act to incorporate the Theta Chi Fraternity of the Norwich University.

H. 260. An act to legalize the grand list of the town of Lyndon for the year 1888.

H. 265. An act to legalize the grand lists of the town of Peru for the years 1886, 1887 and 1888, including quadrennial appraisal of 1886.

H. 266. An act changing the name of Chastina Lottie Valley.

In the passage of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles:

H. 46. An act in amendment of and in addition to number 259 of the acts of 1872, entitled an act to incorporate the village of Richford.

H. 48. An act to incorporate the Richford aqueduct company.

H. 81. An act to amend number 222 of the acts of 1884, entitled an act to incorporate the village of Proctor.

H. 116. An act to change the name of Flora Ann Hines.

H. 119. An act to legalize the grand list of the town of Waitsfield for the year 1887.

H. 131. An act to pay Gardner J. Wallace the sum therein mentioned.

H. 179. An act to amend section 4460 of the Revised Laws, relating to the discharge of convicts from the state prison and house of correction.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 59. An act for the better protection of the insane and feeble minded.

H. 74. An act empowering officers of societies for the prevention of cruelty to animals to arrest and prosecute offenders.

H. 138. An act to incorporate that part of the village of Swanton included in fire district No. 1 in said village.

H. 152. An act giving auditors, referees, arbitrators and commissioners certain powers.

H. 158. An act amending section 4043 and section 4044 and to repeal section 4047 of chapter 182 of the Revised Laws of Vermont, relating to proceedings against towns for damage done by dogs.

H. 163. An act in amendment of and in addition to section 2420 of the Revised Laws of Vermont, in relation to duties of probate courts.

A house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction and the reform school,

Was read the third time and on motion of Mr. Mansur, ordered to lie.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the use of the hall of the house of representatives be granted to the Vermont Division of the Sons of Veterans for a meeting on the evening of Tuesday, November 13, 1888.

Was read and adopted in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the auditor of accounts be directed to draw an order on the state treasurer for the sum of thirty-one dollars, in payment of the hotel expenses of Job Williams and party, who gave an exhibition with deaf and dumb scholars before the general assembly on the afternoon of October 31, 1888.

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 180. An act in amendment of an act entitled "an act in relation to the property rights of married women," approved November 26, 1884.

To the committee on the judiciary.

H. 187. An act to pay Jerome Dumas the sum therein named.

H. 192. An act to pay Lewis F. Lillie the sum therein named.

H. 223. An act to pay E. D. Somers the sum therein named.

To the committee on claims.

H. 218. An act to legalize the grand lists of the town of Brown-  
ington for the years 1887 and 1888.

H. 260. An act to legalize the grand list of the town of Lyndon for the year 1888.

H. 265. An act to legalize the grand lists of the town of Peru for the years 1886, 1887 and 1888, including the quadrennial appraisal for the year 1886.

To the committee on the grand list.

H. 243. An act to change the name of Elinor M. Lawrence.



H. 258. An act to incorporate the Theta Chi Fraternity of Norwich University.

H. 266. An act changing the name of Chastina Lottie Valley.

To the general committee.

Mr. Smith from the committee on finance to which was referred a bill entitled,

S. 31. An act to incorporate the Barre savings bank and trust company of Barre,

Reported in favor of the passage of the bill when amended as follows:

First. By inserting the word *five* after the word "twenty" in line two, section six.

Second. By striking out in line fourteen, section six, the words "ten thousand" and inserting in lieu thereof the words, *twelve thousand five hundred*.

Third. By striking out in lines six and seven, section seven the words, "at least three fourths of" and by adding to section seven the words, *the said directors shall be liable to the creditors and stockholders of said corporation for any loss which may be sustained in consequence of any incompetency, unfaithfulness, or remissness in the discharge of their official duties hereinbefore or hereafter provided; and any number of such directors may be sued in the same action by any claimant under these provisions*.

Fourth. By adding to section nine the words, *nor until the person making the same shall have previously discharged all debts and liabilities due from him to said corporation*.

Fifth. By inserting after the word "trusts" in the fifth line of the third division of section ten the words, *on such terms*, and by inserting after the word "upon" in line six, same division and section the words, *and in case no terms are declared established or agreed upon*.

Sixth. By striking out section fifteen and inserting in lieu thereof the following sections:

SECTION 15. *The directors shall have discretionary power of investing the moneys received by them on deposit or in trust, in any of the methods permitted by law, to savings banks and trust companies, provided that when a special direction is given by, or agreement made with, those making deposits or leaving trust property with said corporation, as to the mode of investment thereof, the same shall be strictly followed, if in conformity with the law.*

SECTION 16. *No director, officer, or employe of said corporation shall be, at any one time, directly or indirectly indebted*

*to said corporation for more than one-twentieth part of the capital stock actually paid in, and no loan shall be made to such director, officer, or employe of said corporation, without the written consent of a majority of the directors; provided that the discount of bona fide bills of exchange, drawn against actually existing values, and the discount of commercial or business paper, actually owned by such director, officer, or employe negotiating the same, shall not be considered as money borrowed; but no loan or discount of such commercial or business paper of any individual, firm or corporation shall exceed the sum of ten thousand dollars, nor shall any loan be made by such corporation upon a pledge of its own stock.*

SECTION 17. *Said corporation shall be liable at all events (the act of God and the public enemies, only, excepted) for all deposits, and for the safe keeping of all bonds and other securities received by said corporation in trust; provided that in case of the dissolution of said corporation, by act of law or otherwise, the debts due from said corporation, incurred by deposits in favor of minors, insane persons, or married women in their own right, shall have preference and be satisfied before any other debts due from said corporation are paid.*

SECTION 18. *Any president, director, or other officer of said corporation who shall misapply or divert the moneys, funds or other trust property confided to and accepted by said corporation from the purposes and objects prescribed by this act, or who shall participate in such misapplication or diversion, shall, on conviction thereof, be punished by imprisonment in the state prison not to exceed five years, and be fined not to exceed five thousand dollars, or either of said punishments, in the discretion of the court.*

And by renumbering the sections consecutively.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally reported from the general committee, to which they were referred, in favor of their passage in concurrence.

By Mr. Cramton,

H. 189. An act to amend an act entitled "an act to incorporate the Laurel Glen cemetery association."

H. 144. An act in addition to number 238 of the acts of 1886, entitled an act to empower the village of West Randolph to bring water into said village, and issue bonds for that purpose.

H. 164. An act to amend number 237 of the acts of 1886, empowering the village of Barton to bring water into said village, and to issue bonds therefor.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Bates from the committee on the judiciary,

S. 51. An act for the relief of families of insane persons.

By Mr. Mansur from the same committee,

S. 83. An act to amend section 115 of the Revised Laws of Vermont, relating to presidential electors.

And they were severally ordered to be read the third time on Monday.

Mr. King from the committee on banks to which was referred a house bill entitled,

H. 193. An act to incorporate the Lyndon investment and guarantee company,

Reported in favor of the passage of the bill with proposal of amendment by striking out after the word "than" in line four, section six, the word "three," and inserting in lieu thereof the word *five*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Perkins offered the following resolution :

*Resolved*, That when the senate adjourns this morning, it be until Monday afternoon at two o'clock and thirty minutes.

Which was read and adopted.

Mr. Cramton from the committee on manufactures to which was referred a bill entitled,

S. 76. An act to incorporate the Brandon yarn and knitting company,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed.

Mr. Chamberlin moved that the senate reconsider its vote refusing to pass in concurrence a house bill entitled,

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age.

Pending the question, will the senate agree to the same? on motion of Mr. Butterfield, the bill was ordered to lie.

Mr. Briggs presented the petition of Ester T. Housh and two hundred and twenty-one others, praying for the passage of a law

making it a crime to sell or give tobacco in any form to any person under sixteen years of age.

Which was read and referred to the joint special committee on temperance legislation.

The president announced that the Governor had sent to the senate a communication which would require consideration in executive session.

Mr. Johnson moved that the senate go into executive session at eleven o'clock and fifty-five minutes in the forenoon.

And the same was agreed to.

### EXECUTIVE SESSION.

The president laid before the senate the following communication from His Excellency, the Governor:

#### STATE OF VERMONT.

EXECUTIVE DEPARTMENT,  
MONTPELIER, November 10, 1888. }

#### *To the President of the Senate:*

SIR:—I have the honor to state that I have appointed, subject to the advice and consent of the senate, the following named gentlemen as trustees of the Vermont reform school:

Henry C. Fisk of Morristown,  
for the term of six years from the first day of December next;  
F. Stewart Stranahan of St. Albans,  
for the term of four years from the first day of December next;  
Dwight Tuxbury of Windsor,  
for the term of two years from the first day of December next.

WILLIAM P. DILLINGHAM.

Which was read and under the rule ordered to lie over twenty-four hours.

Mr. Holmes moved that the executive session be dissolved.

And the same was agreed to.

On motion of Mr. Mansur, the senate adjourned.

MONDAY, NOVEMBER 12, 1888.

The senate convened at two o'clock and thirty minutes in the afternoon, pursuant to adjournment.

Devotional exercises were conducted by Rev. G. T. Raymond of Montpelier.

Bills of the following titles were severally introduced, read the first and second times and referred as follows :

By Mr. Stranahan,

S. 107. An act to incorporate the Bitter-Sweet gold mining company.

To the general committee.

By Mr. Fisk of Lamoille,

S. 108. An act in amendment of and in addition to section 2108 of the Revised Laws, relating to allowance to the widow and family of the deceased.

By Mr. Bates,

S. 109. An act relating to stenographic court reporters.

S. 110. An act to amend sections 4226 and 4227 of the Revised Laws, relating to the intimidation of workmen.

S. 111. An act relating to practice in the county court.

To the committee on the judiciary.

By Mr. Bates,

S. 112. An act amending section seven of the act to incorporate the village of St. Johnsbury, approved November 23, 1852.

To the general committee.

By Mr. Taft,

S. 113. An act in reference to allowance to widow and family.

By Mr. Johnson,

S. 114. An act relating to fees in chancery cases.

S. 115. An act to amend number 64 of the laws of 1886, entitled "an act in addition to chapter 93 of the Revised Laws, relating to courts of insolvency."

To the committee on the judiciary.

S. 10.

By Mr. Johnson,

S. 116. An act to incorporate the Ludlow savings bank and trust company.

To the committee on banks.

S. 117. An act to amend number 23 of the laws of 1886, entitled "an act to create a board of railroad commissioners and to define and regulate its powers and duties."

To the committee on railroads.

S. 118. An act in amendment of section 4538 of the Revised Laws, relating to fees of town clerks.

To the committee on the judiciary.

By Mr. Hammond,

S. 119. An act relating to the negligence of telegraph companies.

To the committee on the judiciary.

By Mr. King,

S. 120. An act amending act 9 of the session laws of 1882, and No. 6 of the acts of 1886, relating to the collection of taxes.

To the committee on the grand list.

S. 121. An act to incorporate the Chelsea savings bank and trust company of Chelsea.

To the committee on banks.

By Mr. Fisk of Grand Isle,

S. 122. An act in relation to causes in supreme court.

To the committee on the judiciary.

By Mr. Frary,

S. 123. An act in addition to section 3708 of the Revised Laws, relating to weights of certain grain and vegetables.

To the general committee.

By Mr. Smith,

S. 124. An act to amend an act incorporating the village of Montpelier, approved November 14, 1855.

To the general committee.

S. 125. An act to pay Bernard A. McKenna the sum therein named.

To the committee on military affairs.

By Mr. Butterfield,

S. 126. An act to amend section 1128, Revised Laws, relating to trustee process.

To the committee on the judiciary.

By Mr. Cramton,

S. 127. An act to amend an act entitled "an act to consolidate and amend the various acts heretofore passed concerning the village of Rutland," approved November 24, 1882.

To the general committee.

By Mr. Bates,

S. 128. An act to pay Alex Dunnett the sum therein named.

To the committee on claims.

By Mr. Jones,

S. 129. An act to pardon Clark W. Sanders.

To the committee on state prison.

S. 130. An act to amend number two of the session laws of 1882, relating to the grand list.

To the committee on the grand list.

S. 131. An act to incorporate the Barre co-operative building and loan association.

To the general committee.

By Mr. Stevens,

S. 132. An act for the better preservation and safety of probate records.

S. 133. An act providing for the clearing of the Missisquoi river and its tributaries from obstructions, making it navigable.

To the committee on the judiciary.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 250. An act changing the time of the annual meeting of the Barre Congregational society.

H. 273. An act in amendment of an act entitled an act to incorporate the Vermont conference seminary and female college, approved November 6, 1865, and of all acts in amendment thereof or in addition thereto.

H. 296. An act to incorporate the Barre aqueduct company.

H. 297. An act to incorporate the South Newfane cemetery association.

H. 314. An act to incorporate the West Derby Free Baptist church of West Derby, Vermont.

H. 362. An act authorizing the sale of the Union church edifice and contents at Berkshire Center.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 48. An act in addition to the charter of the village of Woodstock.

S. 49. An act altering the name of Mary Pus, and constituting her heir-at-law of Hiram H. Gilson and Jennie S. Gilson.

And have passed the same in concurrence.

The house have considered senate proposals of amendment to house bill entitled,

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof.

And have refused to concur therein.

I am directed to request the senate to return to the possession of the house, senate bill entitled,

S. 68. An act to incorporate the Frost veneer seating company.

Mr. Stranahan moved that the senate return to the house, agreeably to their request, a bill entitled,

S. 68. An act to incorporate the Frost veneer seating company.

Which was agreed to.

Mr. Adams offered the following joint resolution :

With a view to a more intelligent understanding of the condition of our schools, and to enable the next legislature to enact wise and suitable laws for the maintenance and improvement of the schools of the state, be it, therefore,

*Resolved by the Senate and House of Representatives, That the state superintendent of education for the next biennial term be hereby instructed to procure from town and district clerks and publish in July, 1890, complete school statistics of all the towns and districts of the state for the years 1889 and 1890, to wit :*

The number of children of school age in the district, the num-



ber who attend upon the public schools of the district for a period of at least twenty-four weeks of the year; the number of weeks of school left, the aggregate attendance, the wages paid, the amount of the grand list and rate of tax voted and collected, the amount of public money received, the amount expended for buildings, repairs or supplies, what repairs and apparatus, if any, are needed or called for, if district lines and boundaries are such as accommodate and satisfy the inhabitants; and any and all other facts regarding districts as well as towns which he may deem of consequence in the conduct of the schools.

He shall report the amount of the United States deposit money held by each town, the income derived therefrom, and the amount of income for school purposes from every other source and how it has been divided.

The report shall be included in the regular biennial report for 1890.

Which was read and referred to the committee on education.

Mr. Bates from the general committee to which was referred house bill entitled,

H. 79. An act to incorporate the West Rutland aqueduct company,

Reported in favor of its passage.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Bates from the general committee to which were referred bills of the following titles:

S. 74. An act to incorporate the Universalist convention of Vermont and Province of Quebec;

S. 85. An act to incorporate the Woodstock hotel company,

Reported in favor of their passage.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed.

Mr. Bates from the general committee to which was referred a house bill entitled,

H. 165. An act to amend section 4050, chapter 182, Revised Laws, relating to dogs, and in addition thereto,

Reported adversely to the passage of the bill in concurrence, and the same was refused a third reading.

Mr. Johnson from the general committee to which was referred a bill entitled,

S. 59. An act for the incorporation of independent local churches,

Reported in favor of its passage, and the same was ordered to be read the third time to-morrow.

Mr. Bates from the general committee to which was referred a bill entitled,

S. 64. An act to incorporate the village of Morrisville,

Reported in favor of its passage and the same was ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 250. An act changing the time of the annual meeting of the Barre Congregational society.

H. 273. An act in amendment of an act entitled an act to incorporate the Vermont conference seminary and female college, approved November 6, 1865, and of all acts in amendment thereof or in addition thereto.

H. 296. An act to incorporate the Barre aqueduct company.

H. 297. An act to incorporate the South Newfane cemetery association.

H. 314. An act to incorporate the West Derby Free Baptist church of West Derby.

H. 362. An act authorizing the sale of the Union church edifice and contents at Berkshire Center.

To the general committee.

Mr. Chamberlain offered a joint resolution as follows:

*Resolved by the Senate and House of Representatives, That the secretary of state is hereby authorized and directed to compile the grand list law for the use of the listers of the several towns, and cause to be printed in book form a sufficient number to supply each town with three or more copies, and the auditor is directed to draw an order on the state treasurer in favor of the secretary of state for a sum sufficient to cover the expense of compiling and printing the same.*

Which was read and referred to the joint committee on state and court expenses.

A house bill entitled,

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof,

Was taken up, having been returned from the house with notice of their refusal to concur in senate proposal of amendment to the same.

Thereupon Mr. Mansur moved that the senate insist upon its

proposal of amendment to the bill, and ask the house for a committee of conference on the disagreeing votes of the two houses.

Which was agreed to.

The president appointed as such committee of conference on the part of the senate,

Senator Mansur,  
Johnson,  
Bates.

A bill entitled,

S. 83. An act to amend section 115 of the Revised Laws of Vermont, relating to presidential electors,

Was read the third time and passed.

A bill entitled,

S. 51. An act for the relief of the families of the insane persons,

Was read the third time and on motion of Mr. Bates, ordered to lie.

Mr. Fisk of Grand Isle moved that the senate go into executive session at four o'clock and fifteen minutes in the afternoon.

Which was agreed to.

## EXECUTIVE SESSION.

A communication from the Governor nominating the trustees of the Vermont reform school,

Was taken from the table.

Whereupon,

Henry C. Fisk of Morristown,  
F. Stewart Stranahan of St. Albans,  
Dwight Tuxbury of Windsor,

As named by the Governor, were confirmed by the senate as trustees of the Vermont reform school for the terms of six, four and two years, respectively, from and including the first day of December next.

On motion of Mr. Bunker, the executive session was dissolved and the doors of the senate were opened.

Mr. Frary moved that the senate do now adjourn.

And the same was agreed to.

TUESDAY, NOVEMBER 13, 1888.

Reading of the scriptures and prayer by the chaplain.

Mr. Bates moved that the senate reconsider its vote refusing a third reading to house bill entitled,

H. 165. An act to amend section 4050, chapter 182 Revised Laws, relating to dogs, and in addition thereto,

And the same was agreed to.

Thereupon on motion of Mr. Bates, the bill was ordered to be recommitted to the general committee.

On motion of Mr. Mansur, a house bill entitled,

H. 1. An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof,

Was taken up and the senate refused to reconsider its vote refusing the passage of the bill in concurrence with proposals of amendment.

On motion of Mr. Fisk of Lamoille, a house bill entitled, .

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age,

Was taken up and the senate reconsidered its vote, refusing to pass the bill in concurrence, and the bill was ordered recommitted to the special joint committee on temperance legislation.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills entitled,

H. 190. An act to legalize the quadrennial appraisal of the real estate of the town of Ryegate for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 193. An act to incorporate the Lyndon investment and guarantee company.

And have concurred therein.

The house have passed a bill entitled,

H. 63. An act for the protection of horse owners.

In the passage of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general.

And have refused its passage in concurrence.

I am directed to request the senate to return to the possession of the house senate bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general.

A bill entitled,

S. 59. An act for the incorporation of independent local churches,

Was read the third time and passed.

Mr. Higbee from the joint committee on the library to which was referred joint resolution directing the state librarian to deliver certain documents and volumes to the library of the Sheldon art museum at Middlebury,

Reported in favor of its adoption.

Thereupon the resolution was adopted on the part of the senate.

Mr. Taft from the general committee to which was referred a bill entitled,

S. 82. An act relating to gas and electric light companies,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time to-morrow.

A bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general,

Was taken up and ordered to be returned to the house agreeably to their request.

Mr. Taft from the general committee to which was referred a house bill entitled,

H. 239. An act to incorporate the Sprague centennial library and Brandon ladies' book club,

Reported in favor of the passage of the bill.

Thereupon the same was ordered to be read the third time, read the third time and passed in concurrence.

On motion of Mr. Bates, the senate adjourned.

### AFTERNOON.

A bill entitled,

H. 124. An act to incorporate the Maritime canal company of Nicaragua,

Was read the third time and passed in concurrence.

Mr. Fisk of Grand Isle from the committee on highways and bridges to which was referred a bill entitled,

S. 93. An act to amend section 3013 of the Revised Laws, relating to laying out winter roads,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time to-morrow.

Mr. Taft from the general committee to which was referred house bills of the following titles :

H. 45. An act to change the name of Walter Scott Clough ;

H. 91. An act to change the names of the persons therein named,

Reported in favor of their passage in concurrence.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Bunker moved that the senate take a recess for fifteen minutes.

And the same was agreed to.

The recess having expired the president resumed the chair.

Mr. Hammond from the committee on the grand list to which was referred a bill entitled,

S. 102. An act to legalize the grand lists of the town of Peacham for 1886, 1887 and 1888,

Reported in favor of the passage of the bill, and the same was ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Hammond from the committee on the grand list,

H. 112. An act to legalize the quadrennial appraisal of real estate in the town of Wheelock for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 126. An act to legalize the grand list of the the town of Belvidere for the years 1887 and 1888.

H. 197. An act to legalize the quadrennial appraisal of real estate in the town of Morgan for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 198. An act to legalize the quadrennial appraisal of real estate in the town of Johnson in 1886, and the grand lists of said town for 1887 and 1888.

H. 218. An act to legalize the grand lists of the town of Brownington for the years 1887 and 1888.

H. 260. An act to legalize the grand list of the town of Lyndon for the year 1888.

H. 265. An act to legalize the grand lists of the town of Peru for the years 1886, 1887 and 1888, including the quadrennial appraisal of 1886.

By Mr. Bell from the committee on claims,

H. 192. An act to pay Louis F. Lillie the sum therein named.

By Mr. Briggs from the committee on claims,

H. 187. An act to pay Jerome Dumas the sum therein named.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Smith from the committee on finance to which was referred a bill entitled,

S. 106. An act relating to compensation of persons appointed by the Governor under joint resolutions of the legislature,

Reported in favor of its passage.

Mr. Briggs moved that the bill be amended by adding a new section as follows :

SECTION 2. *This act shall take effect from its passage.*

Which was agreed to, and the bill was ordered to be read the third time to-morrow.

Mr. Smith from the committee on finance to which was referr-

ed a joint resolution relating to payment of expenses of Job Williams and party,

Reported in favor of its adoption.

Thereupon the same was adopted on the part of the senate.

A house bill entitled,

H. 63. An act for the protection of horse owners,

Was read the first and second times and referred to the committee on agriculture.

Mr. Fisk of Lamoille from the committee on the judiciary to which was referred a bill entitled,

S. 54. An act to amend sections 4556, 4558, 4559, 4560, 4561, 4564 and 4567 of the Revised Laws, and in addition thereto, changing the fiscal year,

Reported in favor of the passage of the following substitute bill :

S. 134. An act changing the fiscal year.

*It is hereby enacted by the General Assembly of the State of Vermont :*

SECTION 1. All accounts and settlements required to be rendered and made for the current biennial term, preparatory to the publication of the reports of the state officers to the next legislature, whether such reports be included in the volume entitled "state officers' reports" or not, shall include the transactions of the various departments, boards and institutions to and including June 30, 1890.

SECTION 2. After June 30, 1890, the fiscal year shall run from July 1 to June 30, inclusive.

SECTION 3. All officers required by law to make report annually or biennially, shall, after the cease of the current fiscal year, prepare such reports and deliver the manuscripts to the printer on or before July 10th, in each year. And the letting of contracts for printing and all things precedent thereto, shall take place thirty days earlier than is now provided.

SECTION 4. All such reports shall be in print and a copy of each be furnished the outgoing and incoming Governors and the commissioners of printing, on or before the 10th day of September in each year in which the legislature meets. At least one-half the pamphlet copies of the reports of the various boards and officials shall be delivered to the officers making them, on or before September 15th, and the balance of such reports, with the "state officers' reports," shall be delivered to the sergeant-at arms, at the capitol, on or before the Saturday prior to the meeting of the legislature.



SECTION 5. For any failure to comply with the provisions of section 4 of this act, there shall be deducted from the account for such printing, the sum of ten dollars for each day's delay as to each report not furnished at the time prescribed, such deduction to be made by the commissioners of printing at the time of rendering the account.

SECTION 6. The accounts of the May and June terms of court shall be carried forward into the reports of the succeeding fiscal year.

Which was read the first and second times and ordered to be read the third time to-morrow.

On motion of Mr. Fisk of Grand Isle, the senate adjourned.

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WEDNESDAY, NOVEMBER 14, 1888.

Devotional exercises were conducted by the chaplain.

Mr. Cramton moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 189. An act to amend an act entitled "an act to incorporate the Laurel Glen cemetery association."

And the same was agreed to.

Bills of the following titles were severally read the third time and passed:

S. 93. An act to amend section 3013 of the Revised Laws, relating to laying out winter roads.

S. 106. An act relating to the compensation of persons appointed by the Governor under joint resolutions of the legislature.

S. 134. An act changing the fiscal year.

A bill entitled,

S. 82. An act relating to gas and electric light companies,

Was read the third time and on motion of Mr. Butterfield, ordered to lie.

Mr. Johnson from the general committee to which was referred a bill entitled,

S. 87. An act to incorporate the comrades of Brooks post,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed.

Mr. Johnson from the general committee to which was referred a house bill entitled,

H. 170. An act in amendment of section 2543 of the Revised Laws, in relation to the changing of names,

Reported in favor of the passage of the bill in concurrence.

Thereupon the same was ordered to be read the third time, read the third time and on motion of Mr. Perkins, ordered to lie.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 106. An act relating to amendment of process,

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section nine hundred thirty-nine of the Revised Laws of the state of Vermont shall be amended by inserting in the fourth line of said section after the word "co-defendent" the words *or co-plaintiff*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 30. An act providing for the appointment of a commission to investigate the agricultural and manufacturing interests of the state, and devise means to develop the same.

H. 66. An act to authorize the towns of Morristown, Stowe and Waterbury to aid in the construction of the Mount Mansfield railroad.

H. 105. An act in addition to chapter one hundred four of Revised Laws, relating to the custody of wills.

H. 122. An act to promote the dairy interests of Vermont.

H. 161. An act relating to taxation.

H. 195. An act relating to mechanics' liens on personal property and providing for the satisfaction thereof.

H. 227. An act to enable the town of Plymouth to issue its bonds for the purpose of funding its indebtedness.

H. 237. An act in addition to chapter one hundred seventy-five of the Revised Laws, relating to inquests of the dead.

H. 247. An act to enable the town of Dorset to issue its bonds for the purpose of funding its indebtedness.

H. 271. An act in amendment of section 844 of the Revised Laws, relating to process.

H. 272. An act relating to process.

H. 282. An act fixing the standard weight for salt.

H. 293. An act to authorize the village of St. Albans to refund its outstanding notes and bonds.

H. 327. An act to change the name of Charles Farrar.

H. 358. An act to enable the town of Enosburgh in the county of Franklin, to issue its bonds for the purpose of funding its present indebtedness.

In the passage of which the concurrence of the senate is requested.

The house have considered a joint resolution from the senate directing the state librarian to deliver certain documents and volumes to the library of the Sheldon art museum at Middlebury,

And have adopted the same in concurrence.

The house have considered a senate bill entitled,

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general,

And have passed the same in concurrence.

The house have acceded to the request of the senate for a committee of conference on the disagreeing votes of the two houses on senate proposal of amendment to house bill entitled,

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof,

And have appointed as such committee on the part of the house,

Mr. Howard of Fairhaven,  
Ballard of Burlington,  
Field of Rutland.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles:

H. 40. An act providing for the sale of leased property for taxes.

H. 49. An act to legalize the grand list of the town of Barnet for the year 1887.

H. 50. An act to legalize the grand lists, including the quadrennial appraisal of the town of Norton for the years 1887 and 1888.

H. 59. An act for the better protection of the insane and feeble minded.

H. 65. An act to incorporate the Mount Mansfield railroad company.

H. 74. An act empowering officers of societies for the prevention of cruelty to animals to arrest and prosecute offenders.

H. 78. An act in amendment of act number 157 of the session laws of 1882, to incorporate the farmers' and mechanics' exchange.

H. 125. An act to legalize the quadrennial appraisal of the real estate of the town of Orange for the years 1886, 1887 and 1888.

H. 132. An act changing the name of Lyman R. Balch.

H. 144. An act in addition to number 238 of the acts of 1886, entitled an act to empower the village of West Randolph to bring water into said village and to issue bonds for that purpose.

H. 152. An act giving auditors, referees and commissioners certain powers.

H. 158. An act amending section 4043 and section 4044, and repealing section 4047, chapter 182, of the Revised Laws of Vermont, relating to proceedings against towns for damage done by dogs.

H. 184. An act in amendment of number 175 of the acts of 1886, relating to the citizens' savings bank and trust company of St. Johnsbury.

H. 190. An act to legalize the quadrennial appraisal of real estate of the town of Ryegate for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 202. An act to amend section 4250 of the Revised Laws, relating to offences against chastity and morality.

H. 211. An act in amendment of number 38 of the public acts of 1886, relating to the traffic in intoxicating liquors.

H. 212. An act to incorporate the Woodstock cemetery association.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Hammond from the committee on the grand list,

H. 88. An act to legalize the quadrennial appraisal and the grand list of the town of Dorset for the year A. D. 1886.

By Mr. Johnson from the general committee,

H. 145. An act to consolidate, amend and in addition to the various acts heretofore passed concerning the village of Springfield.

H. 235. An act to incorporate the Algonquin club of Burlington, Vt.

By Mr. Matteson from the committee on claims,

H. 228. An act to pay E. D. Somers the sum therein named.

Whereupon the same were severally ordered to be read the third time, read the time and passed in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 30. An act providing for the appointment of a commission to investigate the agricultural and manufacturing interests of the state and devise means to develop the same.

To the committees on agriculture and manufactures.

H. 66. An act to authorize the towns of Morristown, Stowe and Waterbury to aid in the construction of the Mount Mansfield railroad.

To the committee on railroads.

H. 105. An act in addition to chapter one hundred and four of Revised Laws, and relating to the custody of wills.

H. 161. An act relating to taxation.

H. 195. An act relating to mechanics' liens on personal property, and providing for the satisfaction thereof.

H. 271. An act in amendment of section 844 of the Revised Laws, relating to process.

H. 272. An act relating to process.

To the committee on the judiciary.

H. 227. An act to enable the town of Plymouth to issue its bonds for the purpose of funding its indebtedness.

H. 247. An act to enable the town of Dorset to issue its bonds for the purpose of funding its indebtedness.

H. 293. An act to authorize the village of St. Albans to refund its outstanding notes or bonds.

H. 358. An act to enable the town of Enosburgh in the county

of Franklin, to issue its bonds for the purpose of funding its present indebtedness.

To the committee on finance.

H. 122. An act to promote the dairy interests of Vermont.

H. 282. An act fixing the standard weight for salt.

To the committee on agriculture.

H. 237. An act in addition to chapter one seventy-five of the Revised Laws, relating to inquests on the dead.

H. 327. An act to change the name of Charles Farrar.

To the general committee.

On motion of Mr. Perkins, the senate adjourned.

## AFTERNOON.

A bill entitled,

S. 51. An act for the relief of the families of insane persons,

Was taken up and passed.

On motion of Mr. Butterfield a house bill entitled,

H. 170. An act in amendment of section 2543 of the Revised Laws, in relation to the changing of names,

Was taken up and ordered to be recommitted to the general committee.

Mr. Adams from the joint committee on the house of correction submitted the following report :

### REPORT OF THE JOINT STANDING COMMITTEE ON THE HOUSE OF CORRECTION.

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES :

The joint committee appointed by the senate and house of representatives, to visit the house of correction at Rutland and report, would respectfully report :

That we visited the said institution October 24th, accompanied by Mr. Cramton of the board of directors, to whose kindly attention we are under obligations.

We found the institution as we had reason to expect, in excel-

lent sanitary condition and order. The officers appear to be kind yet firm, and faithful in the performance of all their duties. We could see no cause for criticism or fault with the administration of the institution.

Many of the inmates have, no doubt, been positively benefited by the discipline to which they have been subjected. There are now in the institution 62 men and 9 women, two of these are prisoners of the county and four of the U. S. Government. About forty of the men are at work on a contract in finishing marble for monuments, table tops, mantles, tiling, etc., at the rate of 30 cents per day, which renders the institution nearly self-supporting. The superintendent reports the whole expense account for the two years ending July 31, 1888, as \$18,121.07, which includes cost of board for superintendent's family and the keepers. The amount of deficiency for the two years, which is required to be made up from the state treasury, is only about four thousand dollars.

The committee were unanimously of the opinion that the best interests of the state would have been promoted by a more liberal policy, and larger expenditure for better buildings in the outset, and that repairs and outlays for improvements will be required to keep the buildings and machinery in proper order. The coping on some of the outside walls is imperfect, and damage is occurring from water and frost. The old wood fence around the yard, built for a temporary make-shift some eight or ten years since, is very unsightly for a state institution, is rotting down, and requires continual patching and additions to keep it up. The opinion of the directors and of the committee, is that it should be replaced by a substantial stone or brick wall.

The boilers which supply the power to the work shop, which were second hand when purchased, have become scaled and burnt and require to be repaired or replaced with new.

The committee agree in recommending that the sum of \$7,000 be appropriated by the state and placed at the disposal of the directors, for the purpose of repairing or replacing the boilers, and building a good, substantial stone or brick wall around the yard, in place of the old high board fence.

We recommend the passage of the accompanying bill.

A. N. ADAMS,	} <i>Committee on the part of the senate.</i>
MARSH O. PERKINS,	
J. E. CHAMBERLIN,	
H. S. TOLMAN,	} <i>Committee on the part of the house.</i>
A. T. WARREN,	
H. R. MILLER,	
M. B. LYON,	
JOHN MORTROM,	

Which was read and on motion of Mr. Adams, ordered to lie and be printed.

An accompanying bill, entitled,

S. 185. An act to provide for certain repairs and improvements of the house of correction at Rutland.

*It is hereby enacted by the General Assembly of the State of Vermont.*

SECTION 1. The sum of seven thousand dollars is hereby appropriated and set apart, in the hands of the state treasurer, to be by him paid, on the order of the auditor of accounts, to the directors of the house of correction at Rutland, for the purpose of repairing or replacing the boilers in said house of correction, and repairing and building the walls on and around the yard of said institution.

SECTION 2. The directors are hereby authorized and directed to make such repairs and do such building, and to present their accounts to the auditor for the expense incurred, to the extent of this appropriation, and the auditor shall draw orders therefor.

Was read the first and second times, and under the rule ordered to lie and be printed.

On motion of Mr. Butterfield, the senate adjourned.

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THURSDAY, NOVEMBER 15, 1888.

Reading of scriptures and prayer by the chaplain.

A bill entitled,

S. 82. An act relating to gas and electric light companies,

Was taken up and passed.

A house bill entitled,

H. 106. An act relating to amendment of process,

Was read the third time and passed in concurrence with proposal of amendment.

A house bill entitled,

H. 42. An act in amendment of act number sixty-one of the



session laws of 1886, providing for the payment of masters, referees, auditors and commissioners in probate appeals,

Was taken up and passed in concurrence with proposals of amendment.

Mr. Taft, from the committee on the judiciary to which was referred a bill entitled,

S. 97. An act defining the qualifications of witnesses in civil proceedings,

Reported adversely to the passage of the bill.

Thereupon, on motion of Mr. Taft, the same was ordered to lie.

A message was received from the house of representatives by Mr. Merrifield, their assistant clerk, as follows:

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 304. An act in amendment of section 3210 of the Revised Laws, relating to burial grounds.

H. 339. An act changing the time of holding the December term of the Addison county court.

H. 440. An act to change the time of holding supreme court in Franklin, Grand Isle, Addison, Rutland and Windham counties.

In the passage of which the concurrence of the senate is requested.

I am directed to return to the possession of the senate, agreeably to their request, house bill entitled :

H. 189. An act to amend an act entitled an act to incorporate the Laurel Glen cemetery association.

The house have considered senate bill entitled,

S. 18. An act relating to the election and term of office of certain town officers.

And have refused the passage of the same in concurrence.

Mr. Johnson, from the general committee, to which was re-committed a house bill entitled,

H. 170. An act in amendment of section 2543 of the Revised Laws, in relation to the changing of names,

Reported in favor of the passage of the bill.

The question being, shall the bill be passed in concurrence? it was decided in the affirmative. Yeas 16, nays 4.

Mr. Butterfield having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bell,  
Briggs,  
Cramton,  
Giddings,  
Higbee,  
Holmes,

Johnson,  
Jones,  
King,  
Mansur,  
Matteson,

Parker,  
Peake,  
Perkins,  
Stranahan,  
Terrill.—16.

Those senators who voted in the negative are Messrs.

Butterfield,  
Frary,

Simonds,

Taft.—4.

So the bill was passed in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 304. An act in amendment of section 3210 of Revised Laws, relating to burial grounds.

To the special joint committee on public health.

H. 339. An act to change the time of holding the December term of the Addison county court.

H. 440. An act changing the time of holding supreme court in Franklin, Grand Isle, Addison, Rutland and Windham counties.

To the committee on the judiciary.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Bates from the general committee,

S. 84. An act to repeal number sixteen of the public acts of 1886 relating to highways and bridges.

By Mr. Bates from the committee on the judiciary,

S. 98. An act to enable towns to aid in the construction of telephone lines.

By Mr. Smith from the joint committee on game and fisheries,

S. 105. An act in amendment of number 76 of the laws of 1886, entitled an act relating to fish in Lake Champlain and its tributaries.

By Mr. Taft from the general committee,

S. 90. An act to enable towns to aid in commemorating centennial anniversaries.

And the same were severally ordered to be read the third time to-morrow.

Mr. Taft from the committee on the judiciary to which was referred a bill entitled,

S. 22. An act in amendment of section 1128 of the Revised Laws, relating to trustee process,

Reported adversely to its passage.

And the same was refused a third reading.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 180. An act in amendment of an act entitled "An act in relation to the property rights of married women," approved November 26, 1884,

Reported in favor of the passage of the bill in concurrence.

And the same was ordered to be read the third time to-morrow.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Jones from the general committee,

H. 201. An act in addition to and amendatory of the charter of the Troy conference academy.

By Mr. Taft from the general committee,

H. 250. An act changing the time of the annual meeting of the Barre congregational society.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Johnson from the committee on the judiciary to which was referred house bills of the following titles,

H. 339. An act changing the time of holding the December term of the Addison county court ;

H. 440. An act to change the time of holding supreme court in Franklin, Grand Isle, Addison, Rutland and Windham counties,

Reported in favor of the passage of bills.

And the same were severally ordered to be read the third time, and under a suspension of rules read the third time and passed in concurrence.

Mr. Hammond by unanimous consent introduced a bill entitled,

S. 136. An act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company," approved November 10, 1860, and in amendment thereof.

Which was read the first and second times and referred to the committee on railroads.

On motion of Mr. Frary, the senate adjourned.

## AFTERNOON.

President *pro tempore* in the chair.

A bill entitled,

S. 135. An act to provide for certain repairs and improvements of the house of correction at Rutland,

Was taken up, the question being shall the bill be read the third time?

Mr. Holmes moved that the same be ordered to lie.

And the same was agreed to.

The president resumed the chair.

Mr. Jones from the general committee to which was referred a bill entitled,

S. 62. An act to repeal number forty of the acts of 1880, relating to the support and removal of paupers and relief of the insane poor,

Reported in favor of the passage of the accompanying substitute bill as follows:

S. 137. An act relating to the pay and expenses of a state's attorney in certain cases.

*It is hereby enacted by the General Assembly of the State of Vermont:*

SECTION 1. In cases arising under sections two thousand eight hundred and seventy-five, to two thousand eight hundred and seventy-nine, inclusive, of the Revised Laws, in which a state's attorney is required to investigate, and in certain cases to attend a court of inquiry before a judge of probate, in order to show that an insane person is not liable to be supported by the state at the insane asylum, the state's attorney shall be paid for his services by the state, five dollars a day and his necessary expenses, his account to be audited and allowed by the auditor of accounts.

SECTION 2. All acts inconsistent with this act are hereby repealed.

SECTION 3. This act shall take effect from its passage.

Which report was accepted, and the substitute bill was read the first and second times and ordered to lie and be printed.

Mr. Fisk of Grand Isle by unanimous consent, introduced a bill entitled,

S. 138. An act to incorporate the Grand Isle county telephone company.

Which was read the first and second times and referred to the general committee.

Mr. Bates moved that the senate take a recess for thirty minutes.

And the same was agreed to.

At the expiration of the recess the president resumed the chair.

On motion of Mr. Johnson, the senate adjourned.

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FRIDAY, NOVEMBER 16, 1888.

Reading of scriptures and prayer by the chaplain.

Bills of the following titles were severally read the third time and passed :

S. 90. An act to enable towns to aid in commemorating centennial anniversaries.

S. 98. An act to enable towns to aid in the construction of telephone lines.

S. 105. An act in amendment of No. 76 of the laws of 1886, entitled "An act relating to fish in Lake Champlain and its tributaries."

A bill entitled,

S. 84. An act to repeal No. 16 of the public acts of 1886, relating to highways and bridges,

Was read the third time and on motion of Mr. Simonds ordered to lie.

A house bill entitled,

H. 180. An act in amendment of an act entitled "An act in relation to the property rights of married women," approved November, 26, 1884,

Was read the third time and passed in concurrence.

On his own motion senator Jones was excused from further service as chairman of the special committee to which S. 94 was referred, and senator Terrill was appointed in his stead.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 249. An act to exempt the memorial hall association of North Calais in the town of Calais, from taxation.

H. 278. An act to enlarge the powers of the consolidated railroad company of Vermont.

H. 294. An act to authorize the town of St. Albans to refund its outstanding notes and bonds.

H. 335. An act to grant to and restore certain rights to fire district number one of the town of Poultney.

H. 355. An act to legalize the grand lists of the town of Starksboro for the years 1886, 1887 and 1888, including the quadrennial appraisal of 1886.

H. 415. An act authorizing the village of Montpelier to issue bonds to retire indebtedness incurred in laying a main water pipe.

H. 417. An act to provide for the refunding of the indebtedness of the town of Montpelier.

H. 444. An act to incorporate the Baptist ministers' aid society of Vermont.

In the passage of which the concurrence of the senate is requested.

The house considered senate bills of the following titles :

S. 24. An act to incorporate the Crescent hotel company in Pawlet.

S. 28. An act to incorporate the citizens' light and power company.

And have passed the same in concurrence.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 124. An act to incorporate the Maritime canal company of Nicaragua.

H. 138. An act to incorporate that part of the village of Swanton included in fire district number one in said village.

A house bill entitled,

H. 189. An act to amend an act entitled "An act to incorporate the Laurel Glen cemetery association.

Was taken up, having been returned from the house agreeably to the request of the senate.

On motion of Mr. Cramton the vote passing the bill in concurrence was reconsidered.

Thereupon Mr. Cramton moved that the senate propose to the house to amend the bill as follows:

By striking out in line one, section one the word "one" and inserting in lieu thereof the word *two*.

Also by striking out all of section one after the word "follows" in line five and the following words in section two: "Section 2. Section two of said act is hereby amended so as to read as follows," and by renumbering section three section two,

Which proposals of amendment were agreed to and the bill was passed in concurrence with proposals of amendment.

Mr. Briggs from the committee on claims to which was referred a bill entitled,

S. 86. An act to pay James L. McCall the sum therein named,

Reported in favor of the passage of the bill when amended by striking out in lines three, four and five of section one the words "one hundred and twenty-one dollars and ninety-eight cents," and inserting in lieu thereof the words *ninety-nine dollars and ninety cents*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed.

Mr. Taft from the general committee to which was referred a bill entitled,

S. 188. An act to incorporate the Grand Isle county telephone company,

Reported in favor of the passage of the bill when amended by adding a new section after section three, as follows:

SECTION 4. *The affairs and business of said company shall be managed by a board of directors of not less than three nor more than five, all of whom shall be stockholders and such other officers as the by-laws shall provide.*

And renumbering section four section five.

Which proposals of amendment were agreed to and the bill was read the third time and passed.

Mr. Briggs from the committee on claims reported a bill entitled,

S. 139. An act to pay O. O. Davis the sum therein named.

Which was read the first and second times and under the rule ordered to lie and be printed.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 249. An act to exempt the memorial hall association of North Calais, in the town of Calais, from taxation.

To the committee on military affairs.

H. 278. An act to enlarge the powers of the consolidated railroad of Vermont.

To the committee on railroads.

S. 294. An act to authorize the town of St. Albans to refund its outstanding notes or bonds.

H. 415. An act to authorize the village of Montpelier to issue bonds to retire its indebtedness incurred in laying a main water pipe.

H. 417. An act to provide for the refunding of the indebtedness of the town of Montpelier.

To the committee on finance.

H. 355. An act to legalize the grand lists of the town of Starksboro for the years 1886, 1887 and 1888, including the quadrennial appraisal of 1886.

To the committee on the grand list.

H. 335. An act to grant to and restore certain rights to fire district No. 1 of the town of Poultney.

H. 444. An act to incorporate the Baptist ministers' aid society of Vermont.

To the general committee.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Bates from the general committee,

S. 95. An act to amend the charter of the Winooski and Burlington horse railroad company, approved October 31, 1872.

By Mr. Bates from the committee on the judiciary,

S. 113. An act in reference to allowance to widow and family.



By Mr. Cramton from the general committee,

S. 123. An act in addition to section 3708 of the Revised Laws, relating to weight of certain grain and vegetables.

By Mr. Fisk of Grand Isle from the committee on railroads,

S. 136. An act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company," approved November 10, 1860, and in amendment thereof.

By Mr. Mansur from the committee on the judiciary,

S. 108. An act in amendment of and in addition to section 2108 of the Revised Laws, relating to allowance to the widow and family of the deceased.

S. 111. An act relating to practice in the county court.

S. 126. An act to amend section 1128 Revised Laws, relating to trustee process.

By Mr. Briggs from the committee on the judiciary,

S. 104. An act to confirm a certain resolution of the city council of the city of Burlington, authorizing the conveyance of certain public land to the young men's christian association of said city.

By Mr. Hammond from the committee on railroads,

S. 117. An act to amend number 23 of the laws of 1886, entitled an act to create a board of railroad commissioners and to define and regulate its forms and duties.

And the same were severally ordered to be read the third time to-morrow.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. King from the committee on banks,

S. 116. An act to incorporate the Ludlow savings bank and trust company.

By Mr. Johnson from the general committee,

S. 112. An act amending section seven of the act to incorporate the village of St. Johnsbury, approved November 23, 1882.

By Mr. Peake from the committee on banks,

S. 121. An act to incorporate the Chelsea savings bank and trust company of Chelsea.

By Mr. Cramton from the general committee,

S. 107. An act to incorporate the Bttr-Sweet gold mining company.

S. 124. An act to amend an act incorporating the village of Montpelier, approved November 14, 1855.

And the same were severally ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Johnson from the general committee,

H. 258. An act to incorporate the Theta Chi fraternity of the Norwich University.

By Mr. Taft from the general committee,

H. 243. An act to change the name of Elinor M. Lawrence.

H. 266. An act changing the name of Chastina Lottie Valley.

H. 327. An act to change the name Charles Farrar.

By Mr. Frary from the committee on finance,

H. 247. An act to enable the town of Dorset to issue its bonds for the purpose of funding its indebtedness.

H. 293. An act to authorize the village of St. Albans to refund its outstanding notes or bonds.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Johnson from the general committee to which was referred a bill entitled,

S. 127. An act to amend an act entitled "An act to consolidate and amend the various acts heretofore passed concerning the village of Rutland," approved November 24, 1882.

Reported in favor of the passage of the bill when amended by striking out in line eight, section ten the words "a public prosecutor," and also by striking out all of said section after line ten.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed.

Mr. Bates from the judiciary committee to which was referred a bill entitled,

S. 118. An act in amendment of section 4538 of the Revised Laws, relating to the fees of town clerks,

Reported in favor of the passage of the bill when amended by inserting in the title the words *and duties* after the word "fees" in the last line of the title, also by adding the following :

SECTION 2. *It shall be the duty of town clerks to provide and keep a book in which shall be alphabetically indexed all at-*

*tachments of personal property lodged in his office, and said index shall show the names of the parties to the suit in which the attachment is made, the court and date of the court to which the attachment is returnable, and the amount of debt or damages claimed in the writ.*

Which proposals of amendment were agreed to and the bill was ordered to be read the third time to-morrow.

Mr. Fisk of Grand Isle from the committee on highways and bridges, to which was referred a bill entitled,

S. 80. An act to protect highways in cases where state aid is furnished,

Reported in favor of the passage of a substitute bill as follows :

S. 140. An act to amend section 4 of act No. 16, of the session laws of 1886, relating to highways and bridges.

*It is hereby enacted by the General Assembly of the State of Vermont:*

SECTION 1. Act No. 16 of the session laws of 1886, is hereby amended by adding to section 4 of said act, the following words: "And when, in the opinion of the commissioners, the provisions of sections 3134 and 3135 of the Revised Laws, are being violated in respect to such highway, he may make complaint before a justice of the peace, and such action shall be had as though the complaint had been made by a town grand juror.

SECTION 2. This act shall take effect from its passage.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

Mr. Chamberlin from the committee on agriculture to which was referred a house bill entitled,

H. 282. An act fixing the standard weight for salt,

Reported in favor of the passage of the bill in concurrence,

And on motion of Mr. Jones the same was ordered to lie.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Chamberlin from the committee on agriculture,

H. 122. An act to promote the dairy interests of Vermont.

By Mr. King from the committee on railroads,

H. 66. An act to authorize the towns of Morristown, Stowe and Waterbury to aid in the construction of the Mount Mansfield railroad.

Thereupon the same were severally ordered to be read the third time to-morrow.

Mr. Bunker from the committee on education to which was referred a house bill entitled,

H. 85. An act relating to the grammar school lands in the town of Fayston,

Reported adversely to the passage of the bill in concurrence and the same was refused a third reading.

On motion of Mr. Mansur, the senate adjourned.

### AFTERNOON.

Mr. Briggs from the committee on the judiciary to which was referred a house bill entitled,

H. 71. An act relating to the drawing of grand and petit jurors,

Reported against the passage of the bill in concurrence, and the same was refused a third reading.

A bill entitled,

S. 135. An act to provide for certain repairs and improvements of the house of correction,

Was taken up and ordered to be read the third time to-morrow.

Mr. Jones from the committee on the grand list to which was referred a bill entitled,

S. 130. An act to amend number two of the session laws of 1882, relating to the grand list,

Reported in favor of the passage of the bill and the same was ordered to be read the third time to-morrow.

Mr. Mansur from the committee on the judiciary to which was referred a bill entitled,

S. 52. An act in addition to chapter 65 of the Revised Laws, relating to the attachment and sale of property upon which mortgagee, pledgee, vendor or bailee has a lien,

Reported in favor of the passage of the bill when amended by adding thereto a new section as follows:

SECTION 2. *In case the mortgagor, pledgor, bailor or condi-*

*ditional vendee of any property on which a lien may be resting and which may be sold on execution under the provisions of this act, shall fail or refuse to discharge such lien after the same becomes due and payable, and within ten days after written notice to so do is served upon him by the purchaser of the whole or any part thereof, the person so purchasing the same may tender and pay to the holder of said mortgage, pledge or lien or said conditional vendor the amount due said creditor upon the whole of said property and by said payment be subrogated to all the rights of said original mortgagee, pledgee, bailee or conditional vendor of said property, and may hold the same as security for the amount so paid in discharge of said original claim together with the sum paid for the same upon the sale thereof on execution as herein provided, with interest upon said sums, and shall have the same rights of foreclosure sale and disposition of said property that the original mortgagee, pledgee, bailee or conditional vendee would have had under his claim.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Bunker, the senate adjourned.

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SATURDAY, NOVEMBER 17, 1888.

Reading of scriptures and prayer by the chaplain.

Bills of the following titles were severally read the third time and passed:

S. 52. An act in addition to chapter 65 of the Revised Laws, relating to the attachment and sale of property upon which mortgagee, pledgee, vendor or bailee has a lien.

S. 95. An act to amend the charter of the Winooski and Burlington horse railroad company, approved October 31, 1872.

S. 104. An act to confirm a certain resolution of the city council of the city of Burlington, authorizing the conveyance of certain public land to the young men's christian association of said city.

S. 108. An act in amendment of and in addition to section 2108 of the Revised Laws, relating to allowance to the widow and family of the deceased.

S. 12.

S. 111. An act relating to practice in county courts.

S. 113. An act in reference to allowance to widow and family

S. 118. An act in amendment of section 4538 of the Revised Laws, relating to fees and duties of town clerks.

S. 126. ' An act to amend section 1128 Revised Laws, relating to trustee process.

S. 135. An act to provide for certain repairs and improvements of the house of correction at Rutland.

S. 136. A act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company, "approved November 10, 1860, and in amendment thereof.

A bill entitled,

S. 130. An act to amend number two of the session laws of 1882, relating to the grand list,

Was read the third time.

Mr. Briggs moved that the bill be committed to a senator to amend by striking out in line one section one the words "an act" and inserting in lieu thereof the words *number two of the session laws of 1882*.

Which was agreed to, and the bill was committed to the senator from Rutland to amend, who reported the same back amended agreeably to the instructions of the senate.

Thereupon the bill was passed.

A bill entitled,

S. 117. An act to amend number 23 of the laws of 1886, entitled an act to create a board of railroad commissioners, and to define and regulate its forms and duties,

Was read the third time, and on motion of Mr. Holmes ordered to lie.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills of the following titles:

H. 42. An act to amend act 61 of acts of 1886, providing for the payment of masters, referees, auditors and commissioners appointed by supreme or county courts.

H. 106. An act relating to amendment of process.

H. 189. An act to amend an act entitled "An act to incorporate the Laurel Glen cemetery association."

And have concurred therein.

The house have passed bills of the following titles:

H. 94. An act amending No. 44 of the acts of 1886.

H. 136. An act to pay Joseph Barton the sum therein named.

H. 194. An act to pay George N. Gove the sum therein named.

H. 215. An act to prevent discrimination by telephone companies.

H. 248. An act to provide a revised roster of Vermont troops.

H. 281. An act to amend section 4 of act 48 of the session laws of 1882, and to amend section 8, act 42, session laws of 1886.

H. 286. An act to legalize the quadrennial appraisal and grand lists of the town of Westmore, for the years 1886, 1887 and 1888.

H. 298. An act in amendment of section 851 Revised Laws of Vermont, relating to the jurisdiction of constables in serving process.

H. 328. An act to legalize the grand lists of the town of Wolcott for the years 1886 and 1888.

H. 329. An act enabling the town of Concord to accept a legacy and perform the trusts annexed thereto.

H. 330. An act to pay Wilson S. Lovell the sum therein named.

H. 350. An act granting a ferry and wharf to Samuel B. Rice.

H. 380. An act relating to the grammar school lands in the town of Calais.

H. 393. An act to license asylums for the private care and treatment of the insane.

H. 398. An act to amend section 4193 of the Revised Laws, relating to burial grounds.

H. 424. An act to amend the charter of the Trout river railroad company.

In the passage of which the concurrence of the senate is requested.

A bill entitled,

S. 123. An act in addition to section 3708 of the Revised Laws, relating to weight of certain grain and vegetables,

Was read the third time.

Mr. Chamberlin moved that the bill be indefinitely postponed.

And the same was agreed to.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 66. An act to authorize the towns of Morristown, Stowe and Waterbury to aid in the construction of the Mount Mansfield railroad.

H. 122. An act to promote the dairy interests of Vermont.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

From the general committee, by Mr. Cramton,

H. 273. An act in amendment of an act entitled "An act to incorporate the Vermont conference seminary and female college," approved November 6, 1865, and of all acts in amendment thereof or in addition thereto.

By Mr. Jones,

H. 297. An act to incorporate the South Newfane cemetery association.

By Mr. Bates,

H. 362. An act authorizing the sale of the Union church edifice and contents at Berkshire Center.

By Mr. Taft.

H. 444. An act to incorporate the Baptist ministers' aid society of Vermont.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Butterfield, from the committee on the judiciary,

S. 114. An act relating to fees in chancery cases.

By Mr. Frary, from the committee on finance,

S. 71. An act for the relief of the West Fairlee savings bank.

And they were severally ordered to be read the third time on Monday.

House bills of the following titles were severally reported from



the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Smith, from the committee on finance,

H. 17. An act to repeal section two of an act entitled, "An act to provide a revenue for the payment of state expenses," approved November 28, 1882, and to amend certain sections of the same act herein named.

By Mr. Jones, from the general committee,

H. 123. An act in addition to "An act to incorporate the village of Windsor," approved November 21, 1884.

By Mr. Briggs, from the committee on the judiciary,

H. 222. An act in amendment of section 2310 of the Revised Laws, relating to marriage.

And the same were severally ordered to be read the third time on Monday.

Mr. Chamberlin, from the committee on agriculture submitted the following joint report :

(For report see appendix.)

And the same was ordered to lie, and the secretary was directed to procure the printing of one thousand copies for the use of the general assembly.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 248. An act to provide a revised roster of Vermont troops.

To the committee on military affairs.

H. 94. An act amending No. 44 of the acts of 1886.

H. 281. An act to amend section 4 of act 48 of the Revised Laws of 1882, and to amend section 8, act 42, session laws of 1886.

H. 393. An act to license asylums for the private care and treatment of the insane.

To the committee on the insane asylum.

H. 424. An act to amend the charter of the Trout river railroad company.

To the committee on railroads.

H. 136. An act to pay Joseph Barton the sum therein named.

H. 194. An act to pay George N. Gove the sum therein named.

H. 330. An act to pay Wilson S. Lovell the sum therein named.

To the committee on claims.

H. 329. An act enabling the town of Concord to accept a legacy and perform the trusts annexed thereto.

H. 380. An act relating to the grammar-school lands in the town of Calais.

To the committee on education.

H. 215. An act to prevent discrimination by telephone companies.

H. 398. An act to amend section 4193 of the Revised Laws, relating to burial grounds.

To the general committee.

H. 328. An act to legalize the grand lists of the town of Wolcott for the years 1886 and 1888.

H. 286. An act to legalize the quadrennial appraisal of the real estate in the town of Westmore for the year 1886 and the grand lists of said town for the years 1886, 1887 and 1888.

To the committee on the grand list.

H. 298. An act in amendment of section eight hundred and fifty-one of the Revised Laws of Vermont, relating to the jurisdiction of constables in serving process.

To the committee on the judiciary.

H. 350. An act granting a ferry and wharf to Samuel B. Rice.

To the committee on highways and bridges.

Mr. Johnson offered the following resolution, which was read and adopted:

*Resolved* that when the senate adjourns this morning it be to meet on monday afternoon next at two o'clock.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 18. An act relating to savings banks.

H. 173. An act to amend section 2693 Revised Laws, and simplify the collection of taxes.

H. 236. An act regulating costs in criminal prosecutions in certain cases.

H. 263. An act in amendment of number 64 of the acts of 1886, relating to levy of execution.

H. 301. An act in amendment of section 3101 of the Revised Laws, relating to highways and bridges.

H. 404. An act to improve the ventilation of the state house.

H. 446. An act to revive and extend act number 179 of the acts of 1882.

In the passage of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes.

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 134. An act changing the fiscal year.

And have passed the same in concurrence.

Mr. Bates from the general committee to which was referred a house bill entitled,

H. 162. An act to amend the charter of the village of Middlebury,

Reported in favor of the passage of the bill with proposals of amendment, as follows:

By striking out all of section four after the word "health" in line seven and inserting in lieu thereof the words, *any person who refuses or neglects for the period of five days to obey any lawful rule, regulation or order made under the provisions of sections three and four of this act, shall forfeit a sum not exceeding twenty dollars, to be recovered in an action of debt in the name of the village, to be founded on this statute.*

Which proposals of amendment were agreed to and the bill was ordered to be read the third time Monday.

A house bill entitled,

H. 282. An act fixing the standard weight for salt,

Was taken up and ordered to be read the third time Monday.

Mr. Taft from the committee on the judiciary to which was referred a joint resolution relating to a supplement to Roberts' Vermont digest,

Reported in favor of the adoption of an accompanying substitute joint resolution as follows:

*Resolved by the Senate and House of Representatives, That the state librarian and the judges of the supreme court may contract for the preparation and publication of a supplement to Roberts' Vermont digest embracing volumes forty-nine to sixty, inclu-*

sive, of the Vermont reports, or a Vermont digest to volume sixty, inclusive, of the Vermont reports, and for supplying to the state such number of copies of such supplement or digest and at such price as they shall think best.

That of the copies of such supplement or digest furnished to the state, distribution shall be made in the same manner as is provided by law for the distribution of the reports of the decisions of the supreme court.

That the state librarian be authorized to draw orders on the state treasurer in payment for the number of copies of said supplement or digest so furnished.

Which was read and adopted on the part of the senate.

A house bill entitled,

H. 18. An act relating to savings banks, savings institutions and trust companies.

Was read the first and second times and referred to the committee on banks.

On motion of Mr. Butterfield the bill was ordered to be reprinted.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 173. An act to amend section 2693 of the Revised Laws, and simplify the collection of taxes.

To the committee on the grand list.

H. 236. An act regulating costs in criminal prosecutions in certain cases.

To the joint committee on state and court expenses.

H. 263. An act in amendment of number sixty-five of the acts of 1886, relating to the levy of execution.

To the committee on the judiciary.

H. 301. An act in amendment of section 3101 of the Revised Laws, relating to highways and bridges.

To the committee on highways and bridges.

H. 404. An act to improve the ventilation of the state house.

To the special joint committee on public health.

H. 446. An act to revive and extend act no 179 of the acts of 1882.

To the committee on railroads.

A bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes,

Was taken up having been returned from the house with proposals of amendment as follows :

First.—By striking out in the fourth line of section one the words “may by vote of such town” and inserting in lieu thereof the word *shall*.

Second.—By striking out in lines twenty-five and twenty-six of the same section the words “as may be required by board of selectmen,” and inserting in lieu thereof the words *which shall be approved by the selectmen of said town*.

Third.—By striking out in line four of section two the words “by vote of the town electing them.”

Fourth.—By striking out in the sixth line of section three the words “by vote of their towns.”

Fifth.—By striking out section four and inserting in lieu thereof the following section :

SECTION. 4. *The trustees shall make a report to their respective towns at each annual meeting stating the amount of funds in their hands, the manner and condition of its investment and the disposal of the income thereof; and if any part of such funds is school money, said trustees shall make a like report of the same to the state superintendent of education.*

Thereupon the first three proposals of amendment were severally concurred in, and the senate refused to concur in the fourth and fifth proposals of amendment.

On motion of Mr. Chamberlin, the senate adjourned.

MONDAY, NOVEMBER 19, 1888.

The senate convened at two o'clock in the afternoon pursuant to adjournment.

Devotional exercises were conducted by the chaplain.

Bills of the following titles were severally read the third time and passed :

S. 71. An act for the relief of the West Fairlee savings bank.

S. 114. An act relating to fees in chancery cases.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 123. An act in addition to an act to incorporate the village of Windsor, approved November 21, 1884.

H. 222. An act in amendment of section 2310 of the Revised Laws, relating to marriage.

H. 282. An act fixing the standard weight for salt.

A house bill entitled,

H. 17. An act to repeal section two of an act entitled an act to provide a revenue for the payment of state expenses, approved November 28, 1882, and to amend certain sections of the same act herein named,

Was read the third time and on motion of Mr. Bates, ordered to lie.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT.**

I am directed to inform the senate that the house have passed bills of the following titles :

H. 267. An act in amendment of section 2230 of the Revised Laws, relating to estates of deceased persons.

H. 309. An act to protect black bass in Franklin pond.

H. 333. An act in amendment of section 3962 Revised Laws, relating to pedlars.

H. 394. An act to amend section 72, chapter seven of the Revised Laws.

H. 396. An act relating to the duties of justices of the peace in criminal cases.

H. 426. An act in addition to section 2023 of the Revised Laws, relating to the bonds required to be given by the judges of probate to the state of Vermont.

In the passage of which the concurrence of the senate is requested.

The house have considered a senate bill entitled,

S. 107. An act to incorporate the Bitter-Sweet gold mining company.

And have passed the same in concurrence.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles:

H. 45. An act to change the name of Walter Scott Clough.

H. 88. An act to legalize the quadrennial appraisal and the grand list of the town of Dorset for the year A. D. 1886.

H. 91. An act to change the names of persons therein named.

H. 112. An act to legalize the quadrennial appraisal of real estate in the town of Wheelock for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 126. An act to legalize the grand lists of the town of Belvidere for the years 1887 and 1888.

H. 163. An act in amendment of and in addition to section 2420 of the Revised Laws of Vermont, relating to duties of probate courts.

H. 164. An act to amend act number 237 of the laws of 1886.

H. 187. An act to pay Jerome Dumas the sum therein named.

H. 192. An act to pay Lewis F. Lillie the sum therein named.

H. 197. An act to legalize the quadrennial appraisal of real estate in the town of Morgan for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 198. An act to legalize the quadrennial appraisal of real estate in the town of Johnson in 1886, and the grand lists of said town for 1887 and 1888.

H. 218. An act to legalize the grand lists of the town of Brown-ington for the years 1887 and 1888.

H. 223. An act to pay E. D. Somers the sum therein named.

H. 235. An act to incorporate the Algonquin club of Burlington, Vermont.

H. 250. An act changing the time of the annual meeting of the Barre congregational society.

H. 260. An act to legalize the grand list of the town of Lyndon for the year 1888.

H. 265. An act to legalize the grand lists of the town of Peru for the years 1886, 1887, and 1888, including the quadrennial appraisal of 1886.

H. 339. An act changing the time of holding the December term of the Addison county court.

H. 440. An act to change the time of holding supreme court in Franklin, Grand Isle, Addison, Rutland and Windham counties.

A house bill entitled,

H. 162. An act to amend the charter of the village of Middlebury,

Was read the third time and passed in concurrence with proposal of amendment.

Mr. Johnson offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That the president of the senate and speaker of the house of representatives adjourn their respective houses without day on Wednesday the 28th day of November, 1888, at eight o'clock in the forenoon.*

Which was read and on motion of Mr. Bates ordered to lie and be made the special order for to-morrow afternoon at two o'clock.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 267. An act in amendment of section 2130 of the Revised Laws, relating to estates of deceased persons.

H. 394. An act to amend section 72, chapter 7 of the Revised Laws.

H. 396. An act relating to duties of justices of the peace in criminal cases.

H. 426. An act in addition to section 2023 of the Revised Laws, relating to the bonds required to be given by the judges of probate to the state of Vermont,

To the committee on the judiciary.

H. 309. An act to protect black bass in Franklin pond in the town of Franklin.

To the joint committee on game and fisheries.



H. 333. An act in amendment of section 3962 of the Revised Laws, relating to pedlers.

To the joint committee on state and court expenses.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

From the committee on claims, by Mr. Hammond,

H. 330. An act to pay Wilson S. Lovell the sum therein named.

By Mr. Bell, .

H. 136. An act to pay Joseph Barton the sum therein named.

By Mr. Briggs,

H. 194. An act to pay George N. Gove the sum therein named.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Mansur from the committee on military affairs to which was referred a house bill entitled,

H. 248. An act to provide a revised roster of Vermont troops,  
Reported recommending that the bill be passed in concurrence.  
And the same on motion of Mr. Smith was ordered to lie.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 13th day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 48. An act in addition to the charter of the village of Woodstock.

S. 49. An act altering the name of Mary Pus, and constituting her heir at law of Hiram H. Gilson and Jennie S. Gilson.

That on the 15th day of November he approved and signed a bill originating in the senate, of the following title :

S. 7. An act relating to the salary of the adjutant and inspector-general and quartermaster-general.

That on the 16th day of November he approved and signed a bill originating in the senate of the following title :

S. 28. An act to incorporate the citizens' light and power company.

Mr. Briggs, from the committee on the judiciary to which was referred a bill entitled,

S. 115. An act to amend No. 64 of the laws of 1886, entitled "An act in addition to chapter 93, of the Revised Laws, relating to courts of insolvency,"

Reported in favor of its passage.

And the same was ordered to be read the third time to-morrow.

Mr. Johnson, from the general committee to which was referred a house bill entitled,

H. 296. An act to incorporate the Barre aqueduct company,

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows :

By adding to section four the following words : *Said water rates shall at all times be reasonable and just, and in case any disagreement arises in reference to the same, the trustees of the village of Barre may, by petition, apply to the Washington county court, which said court shall appoint three commissioners, who shall hear the parties and report to the said court, which said report the said court, unless good cause is shown to the contrary, shall accept, and shall render judgment establishing the water rates, and also for the party prevailing to recover their taxable costs, including the costs of the commissioners, and the rates thus established shall be the water rates to be charged for five years.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time ; read the third time and passed in concurrence with proposal of amendment.

Mr. Mansur offered a preamble and joint resolution as follows :

Realizing the fact that those soldiers who were confined in rebel prisons during the war, are broken down in health, many of them as age creeps on find their constitutions shattered by the terrible sufferings which they endured in Libby, Andersonville and other prisons, and realizing the fact that this rich and prosperous country owes a debt of gratitude to these soldiers. Therefore be it

*Resolved by the Senate and House of Representatives, That our delegation in congress be and are hereby requested to use their influence and vote for the passage of a law pensioning all prisoners of war, and also for the "Quay bill," so called which is for their benefit, and that the secretary of state is hereby directed to send a copy of this resolution to each member of the Vermont delegation in congress.*

Which was read and adopted on the part of the senate.

Mr. Briggs, from the committee on claims, to which was referred a bill entitled,

S. 67. An act to pay George J. Hodges the sum therein named,  
Reported adversely to the passage of the bill and the same was refused a third reading.

A house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction and the reform school,

Was taken up.

The question being, shall the bill be passed in concurrence with proposal of amendment? it was decided in the negative; yeas 10, nays 11.

Mr. Hammond having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Bates,  
Bell,  
Bunker,  
Chamberlin,

Giddings,  
Hammond,  
Higbee,

Smith,  
Stevens,  
Stranahan.—10

Those senators who voted in the negative are Messrs.

Adams,  
Briggs,  
Butterfield.  
Frary,

Holmes,  
Johnson,  
Jones,  
King,

Mansur,  
Parker,  
Peake.—11.

So the senate refused to pass the bill in concurrence.

Mr. Parker from the joint committee on state and court expenses to which was referred a house bill entitled,

H. 333. An act in amendment of section 3962 of the Revised Laws, relating to pedlars,

Reported in favor of its passage in concurrence, and the same was ordered to be read the third time to-morrow.

Mr. Giddings from the committee on insane asylum reported a bill entitled,

S. 141. An act providing for the care, custody and treatment of the insane poor and insane criminals of the state.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

On motion of Mr. Hammond, the senate adjourned.

TUESDAY, NOVEMBER 20, 1888.

Reading of scriptures and prayer by the chaplain.

A bill entitled,

S. 115. An act to amend number 64 of the laws of 1886, entitled an act in addition to chapter 93 of the Revised Laws, relating to the courts of insolvency,

Was read the third time and passed.

A house bill entitled,

H. 333. An act in amendment of section 3962 of the Revised Laws, relating to pedlers,

Was read the third time and passed in concurrence.

Mr. Giddings from the special joint committee on public health to which was referred a house bill entitled,

H. 404. An act to improve the ventilation of the state house,

Reported in favor of the passage of the same and the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens,

Reported in favor of its passage in concurrence, and on motion of Mr. Bates, the same was ordered to lie.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the senate that on the 19th day of November he approved and signed bills originating in the senate of the following titles, to wit:

S. 17. An act to amend section six of number seventy-seven of the session laws of 1854, entitled "An act to incorporate the Vermont episcopal institute."

S. 24. An act to incorporate the Crescent hotel company of Pawlet.

S. 107. An act to incorporate the Bitter-Sweet gold mining company.

S. 134. An act changing the fiscal year.

A joint resolution relating to final adjournment was taken up by unanimous consent and adopted on the part of the senate.

A bill entitled,

S. 84. An act to repeal number sixteen of the public acts of 1886 relating to highways and bridges,

Was taken up and passed. .

Mr. Holmes from the joint committee on the reform school submitted a report as follows :

(For report see appendix.)

And the report was ordered to lie and be printed.

Mr. Stranahan offered a joint resolution as follows :

*Resolved by the Senate and House of Representatives*, That the inspector of finance be and is hereby directed to procure the printing of one thousand copies, in pamphlet form, of the laws of the state relating to savings banks, savings institutions and trust companies in force at the close of the present session, two hundred copies thereof to be deposited in the state library, one copy to be sent to each savings bank, savings institution and trust company in the state, and the residue to be deposited in the hands of the inspector of finance for distribution.

That the inspector of finance shall cause to be published for general distribution, annually, in pamphlet form, not exceeding fifteen hundred copies of the several reports made to him by the savings banks, savings institutions and trust companies in the state.

Which was read and adopted on the part of the senate.

Bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage, and the same were severally refused a third reading :

By Mr. Giddings, from the special joint committee on public health,

S. 103. An act in amendment of section 3919 of the Revised Laws, relating to small pox.

By Mr. Mansur, from the committee on the judiciary,

S. 132. An act for the better preservation and safety of probate records and files.

By Mr. Johnson from the committee on the judiciary,

S. 38. An act to amend section 13 of No. 42 of the acts of 1886, relating to the settlement of paupers.

Mr. Mansur from the committee on the judiciary to which was referred a bill entitled,

S. 3. An act to amend section 2271 of the Revised Laws, relating to appeals from commissioners,

Reported in favor of the passage of the bill when amended as follows:

By striking out all of section one after the word, "words" in the fourth line thereof and inserting in lieu thereof, the words following:

*In case of such an appeal, if any claim in favor of the estate against the claimant, or any claim in favor of the claimant against the estate, has not been presented to the commissioners by reason of fraud, accident or mistake, on trial of said appeal upon filing proper statements of claim in county court, recovery may be had for said claims not presented to the commissioners by reason of said fraud, accident or mistake.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

From the committee on the judiciary, by Mr. Fisk of Lamoille;

H. 394. An act to amend section 72, chapter seven of the Revised Laws.

By Mr. Johnson,

H. 298. An act in amendment of section 851 Revised Laws of Vermont, relating to the jurisdiction of constables in serving process.

H. 267. An act in amendment of section twenty-two hundred and thirty of the Revised Laws, relating to estates of deceased persons.

And the same were severally ordered to be read the third time to-morrow.

Mr. Fisk of Lamoille from the committee on temperance legislation to which was referred a house bill entitled,

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age,

Reported in favor of the passage of the bill with proposal of amendment as follows:

By adding to section one the words *except upon the written order of the minor's parent or guardian.*

Pending the question will the senate agree to the same? Mr.

Simonds moved that the proposal of amendment be amended by inserting after the word "order" the words *or written permission*.

Which was agreed to.

Thereupon the proposal of amendment of the committee, as amended, was agreed to.

Mr. Briggs moved that the senate propose to the house to further amend the bill by striking out in line two, section three the word "fifty" and inserting in lieu thereof the word *twenty*.

And the same was agreed to.

Mr. Bates moved that the senate propose to the house to further amend the bill by striking out all of section one after the word "person" in the second line thereof.

And the same was disagreed to; yeas 9, nays 21.

Mr. Briggs having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Bates,  
Frery,  
Giddings,

Hammond,  
Holmes,  
King,

Matteson,  
Peake,  
Terrill.—9

Those senators who voted in the negative are Messrs.

Adams,  
Bell,  
Briggs,  
Bunker,  
Butterfield,  
Chamberlin,  
Cramton,

Fisk of Grand Isle,  
Fisk, of Lamolile,  
Higbee,  
Johnson,  
Jones,  
Mansur,  
Parker,

Perkins,  
Ripley,  
Simonds,  
Smith,  
Stevens,  
Stranahan,  
Taft.—21.

So the amendment was disagreed to.

Mr. Bates moved that the senate propose to the house to further amend the bill by striking out in line two, section one, and line three section two, the word "sixteen" where it occurs and inserting in lieu thereof the word *twenty*.

Which was disagreed to, yeas 10, nays 20.

Mr. Bates having demanded the yeas and nays they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Bates,  
Cramton,  
Fisk, of Grand Isle,  
Frery,

Hammond,  
Holmes,  
King,

Matteson,  
Peake,  
Terrill.—10.

Those senators who voted in the negative are Messrs.

Adams,  
Bell,  
Briggs,  
Bunker,  
Butterfield,  
Chamberlin,  
Fisk of Lamolile,

Giddings,  
Higbee,  
Johnson,  
Jones,  
Mansur,  
Parker,  
Perkins,

Ripley,  
Simonds,  
Smith,  
Stevens,  
Stranahan,  
Taft.—20.

So the amendment was disagreed to.

The question being, shall the bill pass in concurrence with proposals of amendment? it was determined in the affirmative, yeas 18, nays 12.

Mr. Fisk of Lamoille having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Bell,  
Briggs,  
Bunker,  
Butterfield,  
Chamberlin,

Fisk of Lamoille,  
Giddings,  
Higbee,  
Johnson,  
Jones,  
Mansur,

Parker,  
Ripley,  
Simonds,  
Smith,  
Stevens,  
Taft.—18.

Those senators who voted in the negative are Messrs.

Bates,  
Cramton,  
Fisk of Grand Isle,  
Frary,

Hammond,  
Holmes,  
King,  
Matteson,

Peake,  
Perkins,  
Stranahan,  
Terrill.—13.

So the bill was passed in concurrence with proposals of amendment.

On motion of Mr. Simonds, the senate adjourned.

## AFTERNOON.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

From the committee on the judiciary by Mr. Fisk of Lamoille,

H. 272. An act relating to process.

By Mr. Mansur,

H. 195. An act relating to mechanics' liens on personal property and providing for the satisfaction thereof.

By Mr. Taft,

H. 263. An act in amendment of number sixty-five of the acts of 1886, relating to levy of execution.

H. 271. An act in amendment of section eight hundred forty-four of the Revised Laws, relating to process.

By Mr. Stranahan from the committee on banks,

H. 18. An act relating to savings banks, savings institutions and trust companies.



By Mr. Giddings from the committee on the insane asylum,

H. 94. An act amending number forty-four of the acts of 1886.

By Mr. Briggs from the joint committee on state and court expenses,

H. 236. An act regulating costs in criminal prosecutions in certain cases.

And the same were severally ordered to be read the third time to-morrow.

House bills of the following titles were reported from the committee on finance to which they were referred, in favor of their passage in concurrence.

By Mr. Perkins,

H. 358. An act to enable the town of Enosburgh in the county of Franklin, to issue its bonds for the purpose of funding its present indebtedness.

By Mr. Smith,

H. 294. An act to authorize the town of St. Albans, to refund its outstanding notes or bonds.

H. 415. An act authorizing the village of Montpelier to issue bonds to retire indebtedness incurred in laying a main water pipe.

H. 417. An act to provide for the refunding of the indebtedness of the town of Montpelier,

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Butterfield from the committee on the judiciary to which was referred a house bill entitled,

H. 426. An act in addition to section 2023 of the Revised Laws, relating to the bonds required to be given by judges of probate to the state of Vermont,

Reported in favor of the passage of the bill in concurrence with proposal of amendment by striking out in lines four and five of section one the words, "by the probate judge giving the same," and inserting in lieu thereof the words *by such judge of the county court*.

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow.

Mr. Butterfield from the committee on the judiciary to which was referred a bill entitled,

S. 91. An act in amendment of section 403 Revised Laws, relating to the sale of lands of non-residents for taxes,

Reported in favor of its passage when amended by striking out

in the last line of section one the words "or any of his successors," and inserting in lieu thereof the words *any successor*.

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time to-morrow.

Mr. Perkins from the committee on finance to which was referred a house bill entitled,

H. 227. An act to enable the town of Plymouth to issue its bonds for the purpose of funding its indebtedness,

Reported recommending that the senate propose to the house of representatives that the bill be amended by adding to section 2 the following words:

*Said bonds shall contain, on the face thereof, a statement of the purpose for which they are issued and the authority conferred by this act, and the same shall be conclusive evidence of the fact of the liability of said town to any bona fide holder thereof.*

That a new section be inserted after section two as follows:

SECTION 3. *It shall be the duty of the selectmen of said town of Plymouth, either with or without a vote of the town, to seasonably assess and cause to be collected upon the grand list of said town, a sum sufficient to pay the interest and principal of said bonds, as the same shall from time to time become due and payable.*

That section three be re-numbered section four.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

Mr. Johnson for a majority of the members of the general committee to which was referred a house bill entitled,

H. 135. An act to incorporate the village of Wells River,

Reported recommending that the senate propose to the house of representatives that said bill be amended by adding in the thirteenth line of section nine after the word "pay" the following words: *two thirds of*, and also by adding to said section nine the following words: *and the remaining one-third of said highway taxes shall pay over to the treasurer of the town of Newbury, and the said village of Wells River shall maintain the bridges within the limits of said village, and rebuild the same whenever required*, and by adding a new section, as

SECTION 23. *This act shall be under the control of future legislatures to alter, amend or repeal as the public good may require.*

The minority of the committee submitted a report as follows :

The undersigned members of said committee concur in the above report in all its recommendations except the amendment referring to the division of the highway taxes. We are of the opinion that the village, if it assumes the care and repairs of the bridges within its limits, should have the highway taxes assessed and paid in the village.

ELIHU B. TAFT,  
H. C. BATES.

Thereupon the amendments proposed by the majority of the committee were agreed to, and the bill was ordered to be read the third time to-morrow.

A bill entitled,

S. 41. An act to repeal number 69 of the laws of 1886, relating to appearance in divorce cases,

Was taken up and the senate refused to pass the same. Yeas, 10; nays, 14.

Mr. Taft having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Briggs,  
Butterfield,  
Chamberlin,  
Cramton,

Frary,  
Johnson,  
Parker,

Perkins,  
Ripley,  
Taft.—10.

Those senators who voted in the negative are Messrs.

Bates,  
Bell,  
Fisk, of Grand Isle,  
Giddings,  
Hammond,

Higbee,  
Holmes,  
Jones,  
Mansur,  
Matteson,

Peake,  
Simonds  
Smith,  
Stranahan.—14.

So the passage of the bill was refused.

Mr. Briggs moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction and the reform school.

And the same was agreed to.

Mr. Taft moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 79. An act to incorporate the West Rutland aqueduct company.

Which was agreed to.

A house bill entitled,

H. 17. An act to repeal section two of an act entitled "An act

to provide a revenue for the payment of state expenses," approved November 28th, 1882, and to amend certain sections of the same act herein named,

Was taken up and passage in concurrence refused, yeas 12, nays 17.

Mr. Johnson having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Briggs,  
Bunker,  
Cramton,

Frary,  
Higbee,  
Johnson,  
Jones,

Perkins,  
Ripley,  
Smith,  
Stevens.—12.

Those senators who voted in the negative are Messrs.

Bates,  
Bell,  
Butterfield,  
Chamberlin,  
Fisk of Grand Isle,  
Fisk, of Lamouille,

Giddings,  
Hammond,  
Holmes,  
Mansur,  
Matteson,  
Parker,

Peake,  
Simonds,  
Stranahan,  
Taft,  
Terrill.—17

So the senate refused to pass the bill in concurrence.

A bill entitled,

S. 139. An act to pay O. O. Davis the sum therein named,

Was taken up and ordered to be read the third time, read the third time and passed.

Mr. Perkins moved that the senate do now go into executive session at three o'clock and fifty-five minutes.

And the same was agreed to.

### EXECUTIVE SESSION.

The president laid before the senate the following communication from His Excellency, the Governor :

### STATE OF VERMONT,

EXECUTIVE CHAMBER,  
MONTPELIER, November 19, 1888. }

*To the President of the Senate:*

SIR:—I have the honor to state that I have appointed, subject to the advice and consent of the senate, the following named gentlemen as directors of the state prison and house of correction :

William H. H. Birnham, of Stowe,

for the term of two years from the first day of December next ;

John W. Cramton of Rutland,

for the term of four years from the first day of December next.

WILLIAM P. DILLINGHAM.

Which was read, and, under the rule, ordered to lie twenty-four hours.

The president laid before the senate a further communication from His Excellency, the Governor, as follows :

STATE OF VERMONT,

EXECUTIVE CHAMBER,  
MONTPELIER, November 19, 1888. }

*To the President of the Senate:*

SIR :—I have the honor to state that I have appointed, subject to the advice and consent of the senate, the following named gentlemen as supervisors of the insane :

Homer Goodhue of Westminster,

for the term of two years from the first day of December next ;

Russell T. Johnson of Concord,

for the term of four years from the first day of December next ;

Chester M. Ferrin of Essex,

for the term of six years from the first day of December next.

WILLIAM P. DILLINGHAM.

Which was read, and, under the rule, ordered to lie twenty-four hours.

On motion of Mr. Bunker the executive session was dissolved and the doors of the senate were opened.

A bill entitled,

S. 137. An act relating to the pay and expenses of a state's attorney in certain cases,

Was taken up and ordered to be read the third time to-morrow.

On motion of Mr. Taft, the senate adjourned.

WEDNESDAY, NOVEMBER 21, 1888.

Reading of the scriptures and prayer by the chaplain.

Bills of the following titles were severally read the third time and passed :

S. 3. An act to amend section 2271 of the Revised Laws, relating to appeals from commissioners.

S. 91. An act in amendment of section 403 Revised Laws, relating to the sale of land of non-residents for taxes.

S. 137. An act relating to the pay and expenses of a state's attorney in certain cases.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 263. An act in amendment of No. 65 of the acts of 1886, relating to the levy of execution.

H. 195. An act relating to mechanics' liens on personal property and providing for the satisfaction thereof.

H. 272. An act relating to process.

H. 271. An act in amendment of section eight hundred and forty-four of the Revised Laws, relating to process.

H. 236. An act regulating costs in criminal prosecutions in certain cases.

H. 267. An act in amendment of section 2230 of the Revised Laws, relating to estates of deceased persons.

H. 94. An act amending number forty-four of the acts of 1886.

H. 298. An act in amendment of section 851 of the Revised Laws of Vermont, relating to the jurisdiction of constables in serving process.

H. 394. An act to amend section 72, chapter seven of the Revised laws.

H. 18. An act relating to savings banks, savings institutions and trust companies.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 234. An act extending the provision of number 232 of the acts of 1884 relating to Lake View retreat.

H. 285. An act relating to foreign insurance companies doing business in this state.

H. 291. An act to legalize the grand lists for the years 1887 and 1888, and the quadrennial appraisal of real estate for the year 1886 of the town of Newark.

H. 348. An act for the appointment of officers on the Governor's and brigade commander's staffs, for inspectors of rifle practice.

H. 445. An act relating to returns of justices of the peace and municipal judges.

In the passage of which the concurrence of the senate is requested.

The house have on their part adopted a joint resolution relating to final adjournment.

In the adoption of which the concurrence of the senate is requested.

I am directed to return to the possession of the senate, agreeably to their request, house bills of the following titles:

H. 79. An act to incorporate the West Rutland aqueduct company.

H. 199. An act in relation to the execution of warrants for the commitment to the state prison, the house of correction and the reform school.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 135. An act to incorporate the village of Wells River.

H. 426. An act in addition to section 2023 of the Revised Laws, relating to the bonds required to be given by the judges of probate to the state of Vermont.

A joint resolution from the house as follows:

*Resolved by the Senate and House of Representatives, That a committee of two senators and three representatives be appointed by the president of the senate and speaker of the house, which*

committee shall take into consideration the matter of final adjournment and report concerning the same as soon as may be.

Was read and adopted in concurrence.

The president appointed as a committee on the part or the senate under the foregoing joint resolution,

Senator Stranahan,  
Perkins.

Mr. Jones presented the petition of John E. Eddy and forty-one others, citizens of Marshfield, praying for the passage of a law making the penalty for selling liquor, thirty days' imprisonment in the house of correction for the first offence.

And the same was referred to the committee on temperance legislation.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 234. An act extending the provision of number 232 of the acts of 1884, relating to Lake View retreat.

To the committee on insane asylum.

H. 285. An act relating to foreign life insurance companies doing business in this state.

To the committee on finance.

H. 291. An act to legalize the grand lists for the years 1887 and 1888, and the quadrennial appraisal for the year 1886, of the town of Newark.

To the committee on the grand list.

H. 348. An act for the appointment of officers on the Governor's and brigade commander's staffs, for inspectors of rifle practice.

To the committee on military affairs.

H. 445. An act relating to the returns of justices of the peace and municipal judges.

To the joint committee on state and court expenses.

A house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction and the reform school,

Was taken up and on motion of Mr. Briggs, the senate reconsidered its vote refusing to pass the bill in concurrence with proposals of amendment.

Thereupon on motion of Mr. Fisk of Grand Isle, the bill was



ordered to lie and be made the special order for to-morrow afternoon at two o'clock and thirty minutes.

Mr. Peake from the joint committee on game and fisheries to which was referred a bill entitled,

S. 66. An act for the preservation of fish, game and birds, and to repeal chapter 170 of the Revised Laws,

Reported adversely to the passage of the bill, and the same was refused the third reading.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage :

By Mr. Butterfield from the committee on the judiciary,

S. 37. An act relating to the support of the insane poor.

By Mr. Taft from the committee on the judiciary,

S. 110. An act to amend sections 4226 and 4227 of the Revised Laws, relating to the intimidation of workmen.

S. 133. An act providing for the clearing of the Missisquoi river and its tributaries from obstructions, making it navigable.

By Mr. Briggs from the joint committee on state and court expenses,

S. 63. An act in amendment of section 3813, Revised Laws, relating to the punishment of persons found intoxicated.

And the same was severally ordered to be read the third time to-morrow.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Fisk of Grand Isle from the committee on highways and bridges,

H. 350. An act granting a ferry and wharf to Samuel B. Rice.

From the committee on the grand list,

H. 286. An act to legalize the quadrennial appraisal and grand lists of the town of Westmore for the years 1886, 1887 and 1888.

By Mr. Hammond from the committee on the grand list,

H. 355. An act to legalize the grand lists of the town of Starksboro for the years 1886, 1887 and 1888, including the quadrennial appraisal of 1886.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Chamberlin from the committee on agriculture and manufactures to which was referred a house bill entitled,

H. 30. An act providing for the appointment of a commission to investigate the agricultural and manufacturing interests of the state, and devise means to develop the same,

Reported in favor of the passage of the bill in concurrence.

Mr. Mansur moved that the senate propose to the house to amend the bill by striking out in line three, section four, the word "three" and inserting in lieu thereof the word *five*,

Which was disagreed to and the bill was ordered to be read the third time to morrow.

Mr. Taft from the committee on the judiciary reported a bill entitled,

S. 142. An act to amend sections 1860 and 1861 of the Revised Laws, relating to proceedings in insolvency.

Which was read the first and second time, and, under the rule, ordered to lie and be printed.

Mr. Fisk of Lamaille, from the committee on the judiciary reported a bill entitled,

S. 143. An act changing the name of Ernest Archer Sanborn.

Which was read the first and second times, and, under a suspension of rules, read the third time and passed.

Mr. Briggs from the committee on the judiciary to which was referred a house bill entitled,

H. 396. An act relating to duties of justices of the peace in criminal cases,

Reported in favor of the passage of the bill in concurrence, and the same was ordered to be read the third time to-morrow.

Mr. Briggs from the committee on the judiciary to which was referred a house bill entitled,

H. 105. An act in addition to chapter 104 of the Revised Laws and relating to the custody of wills,

Reported adversely to the passage of the bill, and the same was refused a third reading.

Mr. Johnson from the special joint committee on temperance legislation to which was referred bills of the following titles:

S. 53. An act in addition to chapter one hundred and fifty-nine Revised Laws, entitled the traffic in intoxicating liquors;

S. 57. An act in addition to chapter one hundred and sixty-nine Revised Laws, entitled traffic in intoxicating liquors,

Reported recommending the passage of a substitute bill as follows:

(Substitute for S. 53 and S. 57.)

S. 144. An act relating to the traffic in intoxicating liquor.

*It is hereby enacted by the General Assembly of the State of Vermont.*

SECTION 1. In all cases where now, by any of the provisions of chapter 169 of the Revised Laws, and the amendments thereto, an officer is authorized to seize intoxicating liquors, or the vessels containing intoxicating liquors, by virtue of a warrant therefor, he may seize the same without a warrant.

SECTION 2. It shall be the duty of any sheriff or his deputy, or any constable to search, without a warrant, any wagon, carriage, cart, sleigh, sled or other conveyance, that is being drawn through or along any road or street in this state for intoxicating liquor, if such officer shall suspect any intoxicating liquor is kept or concealed in any such conveyance.

SECTION 3. When an officer seizes intoxicating liquors without a warrant, by virtue of this act, he shall forthwith make a written complaint under oath and subscribed by him, to a justice of the peace of the county in which said liquor was seized, and shall summon the owner or keeper of said liquor, if known to him, to appear forthwith before said justice; and thereupon the same proceedings shall be had as are provided for in section 3819 of the Revised Laws.

SECTION 4. When the owner or keeper is unknown to the officer, the same proceedings shall be had as are provided for in section 3820 of the Revised Laws.

SECTION 5. When the owner or keeper of intoxicating liquor seized under the provisions of this act, appears to make claim to such liquor, the same proceedings shall be had as are provided for in chapter 169 of the Revised Laws.

SECTION 6. If any person shall by himself or other person or persons haul or convey in any wagon, carriage, cart, sleigh, sled, in or by any other conveyance, any intoxicating liquor through or along any road or street in this state, to be kept, furnished, distributed, sold or given away contrary to law, such person or persons shall forfeit and pay to the treasurer of the state, upon the first conviction, ten dollars and cost of prosecution, and upon the second conviction twenty dollars, and the cost of prosecution and be imprisoned in the house of correction for thirty days, and upon each subsequent conviction, thirty dollars and cost of prosecution, and be imprisoned in the house of correction sixty days.

SECTION 7. In all cases where liquor is seized by virtue of this act, one-fourth of the fine imposed upon the owner or keeper of

said liquor upon complaint growing out of such seizure, shall be paid to the officer who made the seizure.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

On motion of Mr. Bunker, the senate adjourned.

### AFTERNOON.

Mr. Simonds from the committee on education to which was referred a house bill entitled,

H. 380. An act relating to the grammar school land in the town of Calais,

Reported adversely to the passage of the bill in concurrence, and the same was refused a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Chamberlin from the committee on agriculture,

H. 63. An act for the protection of horse owners.

By Mr. Mansur from the committee on military affairs,

H. 348. An act for the appointment of officers on the Governor's and brigade commander's staffs, for inspectors of rifle practice.

And the same were severally ordered to be read the third time to-morrow.

A bill entitled,

S. 141. An act providing for the care, custody and treatment of the insane poor and insane criminals of the state,

Was taken up and ordered to be read the third time to-morrow.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Simonds from the committee on military affairs,

H. 249. An act to exempt the memorial hall association of North Calais in the town of Calais from taxation.

By Mr. Smith from the committee on game and fisheries,

H. 309. An act to protect black bass in Franklin pond in the town of Franklin.

By Mr. Hammond from the committee on the grand list,

H. 291. An act to legalize the grand lists for the years 1887 and 1888, and the quadrennial appraisal for the year 1886, of the town of Newark.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Parker from the committee on state and court expenses to which was referred a house bill entitled,

H. 445. An act relating to the returns of justices of the peace and municipal judges,

Reported in favor of the passage of the bill in concurrence.

Mr. Butterfield moved that the senate propose to the house to amend the bill by striking out in line twelve, section one "three dollars," and inserting in lieu thereof the words *one dollar*.

And the same was agreed to.

Mr. Butterfield moved that the senate propose to the house to further amend the bill in line fifteen, same section by striking out the word "five" before the word dollars, and inserting in lieu thereof the words *two and fifty one hundredths*.

Which was agreed to.

Mr. Butterfield moved that the senate propose to the house to further amend the bill in line seventeen of the same section, by striking out the word "ten" and inserting in lieu thereof the word *five*.

Which was agreed to, and the bill was ordered to be read the third time to-morrow morning.

A bill entitled,

S. 117. An act to amend number twenty-three of the laws of 1886, entitled an act to create a board of railroad commissioners and to define and regulate its powers and duties,

Was taken up and passed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

S. 14.

H. 104. An act to amend section 462 of the Revised Laws, extending the time of the normal schools.

H. 146. An act relating to inebriates.

H. 287. An act in addition to chapter one hundred eight of the Revised Laws, relating to commissioners and allowance of claims.

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

H. 326. An act to amend an act to incorporate the Northfield house aqueduct company.

H. 365. An act amending section 820 of the Revised Laws, relating to justices of the peace.

H. 416. An act authorizing the repair of steps and walks in the state grounds.

H. 419. An act requiring the appointment of assistant town clerks, to be certified and returned to the county clerks.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 86. An act to pay James McCall the sum therein named.

S. 104. An act to confirm a certain resolution of the city council of the city of Burlington, authorizing the conveyance of certain public land to the young men's christian association of said city.

S. 105. An act in amendment of number 76 of the laws of 1886, entitled an act relating to fish in Lake Champlain and its tributaries.

S. 127. An act to amend an act entitled an act to consolidate and amend the various acts heretofore passed concerning the village of Rutland, approved November 24, 1882.

S. 138. An act to incorporate the Grand Isle telephone company.

And have passed the same in concurrence.

The house have appointed as the committee on final adjournment on the part of the house,

Mr. Proctor of Proctor,  
Stevens of St. Albans,  
Hazen of St. Johnsbury.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 42. An act to amend act 61 of the acts of 1886, providing

for the payment of masters, referees, auditors and commissioners appointed by supreme and county courts.

H. 106. An act relating to the amendment of process.

H. 122. An act to promote the dairy interests of Vermont.

H. 145. An act to consolidate, amend, and in addition to the various acts heretofore passed concerning the village of Springfield.

H. 180. An act in amendment of an act entitled an act in relation to the property rights of married women, approved November 26, 1884.

H. 189. An act to amend an act entitled an act to incorporate the Laurel Glen cemetery association.

H. 201. An act in addition to and amendatory of the charter of the Troy conference academy.

H. 239. An act to incorporate the Sprague centennial library and Brandon ladies' book club.

H. 243. An act to change the name of Elinor M. Lawrence.

H. 247. An act to enable the town of Dorset to issue its bonds for the purpose of funding its indebtedness.

H. 266. An act changing the name of Chastina Lottie Valley.

H. 273. An act in amendment of an act entitled an act to incorporate the Vermont conference seminary and female college, approved November 6, 1865, and of all acts in amendment thereof or in addition thereto.

H. 293. An act to authorize the village of St. Albans to refund its outstanding notes and bonds.

H. 297. An act to incorporate the South Newfane cemetery association.

H. 327. An act to change the name of Charles Farrar.

H. 362. An act authorizing the sale of the Union church edifice and contents at Berkshire Center.

H. 444. An act to incorporate the Baptist ministers' aid society of Vermont.

I am directed to request the senate to return to the possession of the house a house bill entitled,

H. 114. An act to incorporate the Chestnut Hill reservoir company.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 104. An act to amend section four hundred and sixty-two of the Revised Laws, extending the time of the normal schools.

To the committee on education.

H. 146. An act relating to inebriates.

To the committee on insane asylum.

H. 287. An act in addition to chapter one hundred and eight of the Revised Laws, relating to commissioners and allowance of claims.

H. 365. An act amending section 820 of the Revised Laws of Vermont, relating to justices of the peace.

To the committee on the judiciary.

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

To the committee on agriculture.

H. 326. An act to amend an act to incorporate the Northfield house aqueduct company.

To the general committee.

H. 416. An act authorizing the repair of steps and walks in the state grounds.

To the committee on finance.

H. 419. An act requiring the appointment of assistant town clerks to be certified and returned to the county clerk.

To the joint committee on state and court expenses.

Mr. Taft moved that the senate return to the house agreeably to their request a house bill entitled,

H. 114. An act to incorporate the Chestnut Hill reservoir company.

And the same was agreed to.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to request the senate to return to the possession of the house a house bill entitled,

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

Mr. Briggs moved that the senate return to the house agreeably to their request a house bill entitled,



H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

And the same was agreed to.

A house bill entitled,

H. 56. An act exempting honorably discharged soldiers and sailors from the payment of a poll tax after sixty years of age,

Was taken up.

Mr. Butterfield moved that the senate propose to the house to amend the bill by striking out in lines six and seven, section one, the words "and who are or may hereafter attain the age of sixty years."

Which was disagreed to.

Thereupon the passage of the bill in concurrence was refused.

Mr. Butterfield from the joint committee on state prison submitted the following report:

(For report see appendix.)

Which was read and on motion ordered to lie and be printed.

A bill accompanying the report entitled,

S. 145. An act to provide for certain additions and improvements at the state prison at Windsor,

Was read the first and second times, and, under the rule, ordered to lie and be printed.

Mr. Parker from the joint committee on state and court expenses to which was referred a house bill entitled,

H. 419. An act requiring the appointment of assistant town clerks to be certified and returned to the county clerk,

Reported in favor of the passage of the bill in concurrence.

Mr. Butterfield moved that the senate propose to the house to amend the bill by striking out section two and inserting in lieu thereof the following:

SECTION 2. *This act shall take effect on the first Tuesday in March, 1889.*

Which was disagreed to and the bill was ordered to be read the third time to-morrow.

Mr. Johnson moved that the senate do now go into executive session.

And the same was agreed to.

## EXECUTIVE SESSION.

Thereupon the communication from His Excellency, the Governor, nominating directors of the state prison and house of correction was taken up and William H. Bingham of Stowe, and John W. Cramton of Rutland, named by the Governor as directors of the state prison and house of correction, the former for two years and the latter for four years from and including the first day of December next, were confirmed by the senate.

The communication from His Excellency the Governor, nominating supervisors of the insane,

Was taken up, and Homer Goodhue of Westminster, Russell T. Johnson of Concord, and Chester M. Ferrin of Essex, named by the Governor as supervisors of the insane for the terms of two, four and six years respectively from and including the first day of December next, were confirmed by the senate.

On motion of Mr. Johnson the executive session was dissolved and the doors of the senate were opened.

On motion of Mr. Perkins the senate adjourned.

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THURSDAY, NOVEMBER 22, 1888.

Devotional exercises were conducted by Rev. E. Snow of Swanton, chaplain of the house of representatives.

Mr. Stranahan from the committee on banks reported a bill entitled,

S. 146. An act in amendment of section twenty-seven of number 41 of the acts of 1884, relating to savings banks and trust companies.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

Bills of the following titles were severally read the third time and passed:

S. 37. An act relating to the support of the insane poor.

S. 63. An act in amendment of section 3813 of the Revised Laws, relating to the punishment of persons found intoxicated.

S. 110. An act to amend sections 4226 and 4227, Revised Laws, relating to the intimidation of working men.

S. 133. An act providing for the clearing of the Missisquoi river and its tributaries from obstructions, making it navigable.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 63. An act for the protection of horse owners.

H. 348. An act for the appointment of officers on the Governor's and brigade commander's staffs, for inspectors of rifle practice.

H. 396. An act relating to the duties of justices of the peace in criminal cases.

H. 419. An act requiring the appointment of assistant town clerks to be certified and returned to the county clerk.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered a joint resolution from the senate relating to pensions for ex-prisoners of war.

And have adopted the same in concurrence.

The house have considered senate bills of the following titles :

S. 83. An act to amend section 115 of the Revised Laws, relating to presidential electors.

S. 113. An act in reference to allowance to widow and family.

And have passed the same in concurrence.

The house have passed bills of the following titles :

H. 425. An act relating to the collection of fines and costs.

H. 447. An act to amend section 2009, chapter one hundred two of the Revised Laws, relating to maturity of contracts.

In the passage of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bills of the following titles :

H. 162. An act to amend the charter of the village of Middlebury.

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age.

And have concurred therein.

A house bill entitled,

H. 445. An act relating to the returns of justices of the peace and municipal judges,

Was read the third time and passed in concurrence with proposal of amendment.

A bill entitled,

S. 141. An act providing for the care, custody and treatment of the insane poor and insane criminals of the state.

Was read the third time.

Mr. Giddings moved that the bill be committed to a senator to amend by inserting after the word "trustees" in line one, section three the words *and the lieutenant-governor of the state*.

Which was agreed to and the bill was committed to the senator from Franklin to amend, who reported the same back amended agreeably to the instructions of the senate.

Mr. Giddings moved that the bill be committed to a senator to further amend by striking out all of section six after the word "act" in line five thereof.

Which was agreed to and the bill was committed to the senator from Franklin to amend, who reported the same back amended agreeably to the instructions of the senate.

Mr. Taft moved that the bill be committed to a senator to further amend by striking out in line three section seven the word "three" and inserting in lieu thereof the word *five*.

Which was agreed to and the bill was committed to the senator from Chittenden to amend, who reported the same back amended agreeably to the instructions of the senate.

Mr. Briggs moved that the bill be committed to a senator to further amend by inserting after the word "trustees" in line one section seven, the words *and lieutenant-governor*.

Which was agreed to and the bill was committed to the senator from Rutland to amend, who reported the same back amended agreeably to the instructions of the senate.

Thereupon the bill was passed.

A house bill entitled,

H. 30. An act providing for the appointment of a commission to investigate the agricultural and manufacturing interests of the state and devise means to develop the same,

Was read the third time.

Mr. Parker moved that the senate propose to the house to amend the bill by striking out in lines three, four and five in section one

the words "commission of from one to three competent men," and inserting in lieu thereof the word *commissioner*, also by striking out in lines one and two, section two, the words "said commissioners shall as they proceed" and inserting in lieu thereof the words *said commissioner shall as he proceeds*, also in lines twenty-seven, thirty-one and thirty-five of section two, line one, of section three, and line one of section four by striking out the word "commissioners" and inserting in lieu thereof the word *commissioner*.

Which proposals of amendment were severally agreed to.

Mr. Taft moved that the senate propose to the house to further amend the bill by striking out in line three, section four the words "three dollars each" and inserting in lieu thereof the words *five dollars*, and changing the word "their," line thirty-one section two, line five, section three, and line two, section four to *his*, also in line three, section three change word "they" to *he*.

Which was agreed to and the bill was passed in concurrence with proposals of amendment.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 425. An act relating to the collection of fines and costs,  
To the committee on state and court expenses.

H. 447. An act to amend section 2009, chapter one hundred and two of the Revised Laws, relating to the maturity of contracts.  
To the committee on banks.

House bills of the following titles were severally reported from the general committee to which they were referred, in favor of their passage in concurrence :

By Mr. Jones,

H. 335. An act to grant to and restore certain rights to fire district No. 1 of the town of Poultney,

By Mr. Cramton,

H. 228. An act to incorporate the Sunderland and East Arlington Congregational society.

H. 314. An act to incorporate the West Derby Free Baptist church, of West Derby, Vermont.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Taft from the general committee,

H. 165. An act in amendment of section 4050, chapter 182, Revised Laws, relating to dogs, and in addition thereto.

By Mr. Fiske of Lamoille from the committee on education,

H. 104. An act to amend section 452 of the Revised Laws, extending the time of the normal schools.

By Mr. Perkins from the committee on finance,

H. 285. An act relating to foreign insurance companies doing business in this state.

By Mr. Briggs from the joint committee on state and court expenses,

H. 425. An act relating to the collection of fines and costs.

By Mr. Johnson from the committee on the judiciary.

H. 365. An act amending section 820 of the Revised Laws, relating to justices of the peace.

And the same were severally ordered to be read the third time tomorrow.

Petitions praying for the enactment of a law making the penalty for selling liquor, thirty days' imprisonment in the house of correction for the first offence, were severally presented and referred to the committee on temperance legislation.

By Mr. Frary,

Petition of W. J. Tarbell and one hundred and fifty others, citizens of Chelsea.

By Mr. Parker,

Petition of James Ramage and thirty others, citizens of South Royalton.

By Mr. Jones,

Petition of E. A. Eldredge and a large number of others, citizens of Warren.

Mr. Smith from the joint committee on game and fisheries reported a bill entitled,

S. 147. An act for the better enforcement of the game and fish laws.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

Mr. Smith from the committee on finance to which was referred a house bill entitled,

H. 416. An act authorizing the repair of steps and walks in the state grounds,

Reported in favor of the passage of the bill with proposal of amendment in the house as follows :

By inserting before the word "granite" in line two section one, the word *fences*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

Mr. Taft from the general committee to which was referred a house bill entitled,

H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines,

Reported in favor of the passage of the bill in concurrence with proposal of amendment to the house as follows :

By inserting after the word "owner" in the ninth line of section 1 of said bill these words: *or occupant, unless the selectmen of the town, trustees of the village or aldermen of the city where such tree is situated shall decide, after due notice to such owner or occupant of the time and place of hearing, that such cutting or injury is necessary, and they shall pay such damages as said selectmen, trustees or aldermen shall award for the same.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Chamberlin, the senate adjourned.

## AFTERNOON.

Mr. Adams, from the committee on education, to which was referred,

Joint resolution requiring the state superintendent of education to procure certain statistics,

Reported in favor of its adoption.

And the same was adopted on the part of the senate.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Stranahan from the committee on banks,

H. 447. An act to amend section 2009, chapter 102 of the Revised Laws, relating to maturity of contracts,

By Mr. Frary from the committee on insane asylum,

H. 146. An act relating to inebriates.

By Mr. Giddings from the same committee,

H. 393. An act to license asylums for the private care and treatment of the insane.

By Mr. Mansur from the committee on the judiciary,

H. 287. An act in addition to chapter 108 of the Revised Laws, relating to commissioners and allowance of claims.

By Mr. Terrill from the committee on railroads,

H. 446. An act to revive and extend act No. 179, of the acts of 1882.

And the same were severally ordered to be read the third time to-morrow.

Mr. Higbee from the committee on agriculture reported a bill entitled,

S. 148. An act in relation to barbed-wire fences.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

**MR. PRESIDENT :**

I am directed to inform the senate that the house have considered a senate bill entitled,

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero.

And have passed the same in concurrence.

The house have refused to reconsider their vote passing house bill entitled,

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

And the same is returned to the possession of the senate.

The house have failed to take any action on house bill entitled,

H. 114. An act to incorporate the Chestnut Hill reservoir company.

And the same is returned to the possession of the senate.

House bills of the following titles were severally taken up and re-referred as follows:



H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

To the committee on agriculture.

H. 114. An act to incorporate the Chestnut Hill reservoir company.

To the general committee.

Mr. Parker from the joint committee on state and court expenses to which was referred,

Joint resolution providing for the compilation of the grand list laws,

Reported adversely to the adoption of the resolution, and the senate refused on its part to adopt the same.

A house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment to the state prison, the house of correction and the reform school,

Was taken up as a special order.

Thereupon on motion of Mr. Stranahan the bill was ordered to lie.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Giddings from the committee on insane asylum,

H. 234. An act extending the provision of No. 232 of the acts of 1884, relating to Lake View retreat.

By Mr. Terrill from the committee on railroads,

H. 278. An act to enlarge the powers of the Consolidated railroad of Vermont.

H. 424. An act to amend the charter of the Trout River railroad company.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Jones from the committee on the grand list, to which was referred a house bill entitled,

H. 173. An act to amend section 2693 of the Revised Laws, and simplify the collection of taxes,

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows :

By striking out all after the enacting clause and inserting in lieu thereof the following :

SECTION 1. *Section 2693 of the Revised Laws is hereby amended so as to read as follows:*

*The selectmen shall seasonably make out and deliver to the proper collector, or to the town treasurer, if the town has voted to collect its taxes by that officer, tax bills for state, county, town, town school and highway taxes, with the name of each person taxed and the amount of his tax, and annex proper warrants thereto for collection; and said selectmen may include all of said taxes or a part thereof, in one tax bill and only one warrant shall be required for the collection of taxes on such tax bill; and the selectmen shall certify on each tax bill so made out, what taxes are included therein and the rate per cent. of each tax so included.*

SECTION 2. *Whenever a tax bill includes more than one of the taxes severally enumerated in section one of this act, the warrant required to be issued by the town treasurer and to be delivered to the collector for the collection of taxes of delinquent tax payers shall include the amount of the several taxes of each delinquent tax-payer so included in such original tax-bill; and such warrant may be reissued as otherwise provided for in cases where the taxes of a town are paid to the town treasurer.*

SECTION 3. *All acts and parts of acts inconsistent with this act are hereby repealed.*

SECTION 4. *This act shall take effect from its passage.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Parker, the senate adjourned.

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FRIDAY, NOVEMBER 23d, 1888.

Reading of scriptures and prayer by the chaplain.

House bills of the following titles were severally read the third time and passed in concurrence with proposal of amendment:

H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines.

H. 173. An act to amend section 2693 of the Revised Laws, and simplify the collection of taxes.

H. 416. An act authorizing the repair of steps and walks in the state grounds.

A house bill entitled,

H. 146. An act relating to inebriates,

Was read the third time.

Mr. Jones moved that the senate propose to the house to amend the bill by striking out in line fourteen, section two, the word, "bill" and inserting in lieu thereof the word, *act*.

Which was agreed to, and the bill was passed in concurrence with proposal of amendment.

Mr. Bates, from the committee on the judiciary, to which was referred a bill entitled,

S. 75. An act in aid of the collection of executions against property,

Reported adversely to its passage and the same was refused a third reading.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 104. An act to amend section 462 of the Revised Laws, extending the time of the normal schools.

H. 165. An act in amendment of section 4050, chapter 182 of the Revised Laws, relating to dogs, and in addition thereto.

H. 285. An act relating to foreign life insurance companies doing business in this state.

H. 287. An act in addition to chapter 108, Revised Laws, relating to commissioners and allowance of claims.

H. 365. An act amending section 820 of the Revised Laws of Vermont, relating to justices of the peace.

H. 393. An act to license asylums for the private care and treatment of the insane.

H. 425. An act relating to the collection of fines and costs.

H. 447. An act to amend section 2009, chapter 102 of the Revised Laws, relating to the maturity of contracts.

A house bill entitled,

H. 446. An act to revive and extend act No. 179 of the acts of 1882,

Was read the third time.

Mr. Butterfield moved that the senate propose to the house, to amend the title to the bill by adding thereto the words, "relating to the Coos valley railroad."

Which was agreed to.

And the bill was passed in concurrence with proposal of amendment.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have considered senate proposals of amendment to house bills of the following titles :

H. 135. An act to incorporate the village of Wells River.

H. 227. An act to enable the town of Plymouth to issue its bonds for the purpose of funding its indebtedness.

H. 296. An act to incorporate the Barre aqueduct company.

H. 426. An act in addition to section 2023 of the Revised Laws, relating to the bonds required to be given by the judges of probate to the state of Vermont.

H. 445. An act relating to the returns of justices of the peace and municipal judges.

And have concurred therein.

The house have passed bills of the following titles :

H. 186. An act in aid of the university of Vermont and State agricultural college.

H. 231. An act to protect fish in Lowell lake.

H. 284. An act authorizing the Consolidated railroad company of Vermont to take and hold the stock of the Vermont and Canada railroad company.

H. 386. An act relating to the village of Winooski.

H. 441. An act relating to public instruction, being a revision of existing school laws with additional provisions.

H. 443. An act changing the name of the Bennington knitting company.

H. 459. An act in addition to act No. 194 of the laws of 1882, entitled an act incorporating the West Randolph graded school district.

H. 461. An act extending the time for accepting an act to incorporate the village of Bristol, approved November 23, 1886.

In the passage of which the concurrence of the senate is requested.

The house have considered a joint resolution from the senate relating to final adjournment.

And have adopted the same in concurrence.

The house have considered senate bills of the following titles :

S. 64. An act to incorporate the village of Morrisville.

S. 76. An act to incorporate the Brandon yarn and knitting company.

S. 85. An act to incorporate the Woodstock hotel company.

S. 87. An act to incorporate the comrades of Brooks Post.

S. 95. An act to amend the charter of the Winooski and Burlington horse railroad company, approved October 31, 1872.

• S. 102. An act to legalize the grand lists of the town of Peacham for the years 1886, 1887 and 1888.

S. 112. An act amending section seven of the act to incorporate the village of St. Johnsbury, approved November 23, 1852.

S. 124. An act to amend an act incorporating the village of Montpelier, approved November 14, 1855.

S. 136. An act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company," approved November 10, 1860, and in amendment thereof.

And have passed the same in concurrence.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 18. An act relating to savings banks, savings institutions and trust companies,

H. 94. An act amending No. 44 of the acts of 1886.

H. 123. An act in addition to an act to incorporate the village of Windsor, approved November 21, 1884.

H. 136. An act to pay Joseph Barton the sum therein named.

H. 194. An act to pay George N. Gove the sum therein named.

H. 195. An act relating to mechanics' liens on personal property, and providing for the satisfaction thereof.

H. 222. An act in amendment of section 2310 of the Revised Laws, relating to marriage.

H. 236. An act regulating costs in criminal prosecutions in certain cases.

H. 263. An act in amendment of No. 65 of the acts of 1886, relating to levy of execution.

S. 15.

H. 267. An act in amendment of section 2230 of the Revised Laws, relating to estates of deceased persons.

H. 271. An act in amendment of section 844 of the Revised Laws, relating to process.

H. 282. An act fixing the standard weight for salt.

H. 294. An act to authorize the town of St. Albans to refund its outstanding notes or bonds.

H. 298. An act an amendment of section 851 of the Revised Laws of Vermont, relating to the jurisdiction of constables in serving process.

H. 330. An act to pay Wilson S. Lovell the sum therein named.

H. 333. An act in amendment of section 3962 of the Revised laws.

H. 358. An act to enable the town of Enosburgh in the county of Franklin to issue its bonds for the purpose of funding its present indebtedness.

H. 394. An act to amend section 72, chapter seven, of the Revised Laws.

H. 404. An act to improve the ventilation of the state house.

H. 415. An act authorizing the village of Montpelier to issue bonds to retire indebtedness incurred in laying a main water pipe.

H. 417. An act to provide for the refunding of the indebtedness of the town of Montpelier.

Also a joint resolution originating in the house, relative to paying the expenses of Job Williams and party.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the senate that on the 21st day of November he approved and signed bills originating in the senate of the following titles, to wit:

S. 86. An act to pay James L. McColl the sum therein named.

S. 104. An act to confirm a certain resolution of the city council of the city of Burlington, authorizing the conveyance of certain public land to the young men's christian association of said city.

S. 105. An act in amendment of act No. 76 of the laws of 1886, entitled "An act relating to fish in Lake Champlain and its tributaries."

S. 127. An act to amend an act entitled "An act to consolidate

and amend the various acts heretofore passed concerning the village of Rutland."

Mr. Butterfield from the committee on the judiciary to which was referred a bill entitled,

S. 100. An act in respect to the distribution of the estates of deceased persons,

Reported adversely to its passage and the same was refused a third reading.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the 22d day of November he approved and signed bills originating in the senate of the following titles, to wit :

S. 83. An act to amend section 115 of the Revised Laws, relating to presidential electors.

S. 113. An act in reference to allowance to widow and family.

That he has this day approved and signed a bill originating in the senate of the following title :

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 186. An act in aid of the university of Vermont and state agricultural college.

To the committee on education.

H. 231. An act to protect fish in Lowell lake.

To the joint committee on game and fisheries.

H. 284. An act authorizing the Consolidated railroad company of Vermont to take and hold the stock of the Vermont and Canada railroad company.

To the committee on railroads.

H. 386. An act relating to the village of Winooski,

H. 443. An act changing the name of the Bennington knitting company.

H. 459. An act in addition to act 194 of the laws of 1882 entitled "An act incorporating the West Randolph graded school district."

H. 461. An act extending the time for accepting an act to incorporate the village of Bristol, approved November 23, 1886.

To the general committee.

H. 441. An act relating to public instruction, being a revision of the existing school laws, with additional provisions.

To the committee on education.

Mr. Mansur from the committee on military affairs to which was referred a bill entitled,

S. 125. An act to pay Bernard A. McKenna the sum therein named,

Reported the same back to the senate without an expression of opinion.

Thereupon the bill was refused the third reading.

Mr. Jones from the general committee to which was referred a house bill entitled,

H. 237. An act in addition to chapter one hundred and seventy-five of the Revised Laws, relating to inquests on the dead,

Reported adversely to the passage of the bill in concurrence and the same was refused a third reading.

Bills of the following titles were severally reported from the judiciary committee to which they were referred, in favor of their passage:

S. 122. An act in relation to causes in the supreme court.

By Mr. Butterfield,

S. 109. An act relating to stenographic court reporters.

Thereupon the bills were severally ordered to be read the third time to-morrow.

Mr. Bates from the special committee to which was referred a bill entitled,

S. 99. An act providing for repairing the court house in Caledonia county and laying a tax on said county,

Reported in favor of the passage of the bill when amended as follows:

First. By filling the blanks in the last line of section two with the word *ten*.

Second. By inserting the figure eight after "188" in line three, section four, and by filling the blank in the fifth line of the same section with the words *January, 1889*.

Third. By striking out in lines eight, nine, ten and eleven, section four, the words "the selectmen of towns shall make and deliv-



er to said collector of taxes in their respective towns in the month of a tax bill for the collection of said tax," and

Fourth. By filling the blank in line thirteen, section four, with the words: *June, 1889, and the Selectmen of any town may draw their order upon the town treasurer for the amount so assessed; and may include the amount of said tax in any tax bill there-after issued in said town.*

Which proposals of amendment were severally agreed to, and the bill was ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence.

By Mr. Jones from the general committee,

H. 398. An act to amend section 4193 of the Revised Laws, relating to burial grounds.

By Mr. Hammond from the committee on railroads,

H. 284. An act authorizing the Consolidated railroad company of Vermont to take and hold the stock of the Vermont and Canada railroad company.

And the same were severally ordered to be read the third time to-morrow.

Mr. Johnson from the general committee to which was referred a house bill entitled,

H. 215. An act to prevent discriminations by telephone companies,

Reported recommending the passage of the bill in concurrence with proposals of amendment as follows:

By inserting after section two a new section, viz.:

SECTION 3. *Any individual owning, hiring or leasing any telephone shall have the right to transmit by telephone to any telegraph company using a telephone, any message or telegram to be forwarded by telegraph, and also the right to receive from said telegraph company over said telephone wires, messages received by telegraph for said individual.*

And by renumbering sections three and four.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time to-morrow.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

By Mr. Cramton from the general committee,

H. 326. An act to amend an act to incorporate the Northfield house aqueduct company.

By Mr. Hammond from the committee on the grand list,

H. 328. An act to legalize the grand lists of the town of Wolcott for the years 1886 and 1888.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Fiske of Lamoille, from the committee on temperance legislation to which was referred a bill entitled,

S. 46. An act in amendment of section 3812 of the Revised Laws, relating to intoxication,

Reported recommending the passage of the bill when amended as follows:

First. By striking out in lines eight and nine, section one, the words "or be imprisoned thirty days" and inserting in lieu thereof the words *with an alternative sentence of twenty days imprisonment in case said fine and costs shall not be paid in twenty-four hours.*

Second. By striking out in lines eleven and twelve, same section, the words "or be imprisoned for sixty days," and inserting in lieu thereof the words *with an alternative sentence of forty days' imprisonment in case said fine and costs shall not be paid in twenty-four hours.*

Third. By striking out in line fourteen, same section, after the word "prosecution" the word "or" and inserting in lieu thereof the word *and.*

Fourth. By striking out in line fifteen, same section, the words "not less than," also in lines fifteen and sixteen, same section by striking out the words "or more than six months."

Which proposals of amendment were agreed to and the bill was ordered to be read the third time to-morrow.

On motion of Mr. Frary, the senate adjourned.

## AFTERNOON.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have passed bills of the following titles :

H. 86. An act to repeal number 78 of the acts of the general assembly of the state of Vermont of A. D. 1886.

H. 101. An act in amendment of sections 3802 and 3803 of the Revised Laws.

H. 127. An act relating to the repairing of highways and bridges.

H. 470. An act changing the name of Cyna A. Lyman.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 3. An act to amend section 2271 of the Revised Laws, relating to appeals from commissioners.

S. 51. An act for the relief of the families of insane persons.

S. 59. An act for the incorporation of independent local churches.

S. 91. An act in amendment of section 403 of the Revised Laws, relating to the sale of lands of non-residents for taxes.

S. 114. An act relating to fees in chancery cases.

S. 130. An act to amend number 2 of the session laws of 1882, relating to the grand list.

S. 135. An act to provide for certain repairs and improvements of the house of correction at Rutland.

S. 139. An act to pay O. O. Davis the sum therein named.

And have passed the same in concurrence.

The house have considered senate bill entitled,

S. 90. An act to enable towns to aid in commemorating centennial anniversaries,

And have passed the same in concurrence with proposal of amendment, in the adoption of which the concurrence of the senate is requested.

Bills of the following titles were severally taken up and ordered to be read the third time to-morrow :

S. 140. An act to amend section four of act number sixteen of the session laws of 1886, relating to highways and bridges.

S. 142. An act to amend section 1860 and 1861 of the Revised Laws, relating to proceedings in insolvency.

S. 144. An act relating to the traffic in intoxicating liquor.

S. 145. An act to provide for certain additions and improvements at the state prison at Windsor.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 387. An act requiring the listers to procure certain statistical information for the use of the agricultural and manufacturing commission.

H. 451. An act in relation to the publication of the acts of the general assembly, and to repeal section 4583 of the Revised Laws, and No. 123 of the acts of 1882.

H. 452. An act to amend section 4305 of the Revised Laws, relating to horse racing.

H. 453. An act in amendment of section 3386 of the Revised Laws, relating to sign-boards.

H. 454. An act in amendment of section 6 of No. 23 of the laws of 1886, relating to accident investigation.

H. 456. An act relating to grade crossings and flagmen.

In the passage of which the concurrence of the senate is requested.

I am directed to request the senate to return to the possession of the house senate bill entitled,

S. 26. An act relating to the construction of a bridge from Grand Isle to North Hero.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 86. An act to repeal No. 78 of the acts of the general assembly of the state of Vermont of A. D. 1886, relating to the protection of fish.

To the joint committee on game and fisheries.

H. 101. An act in amendment of sections 3802 and 3803 of the Revised Laws.

To the committee on temperance legislation.

H. 127. An act relating to the repairing of highways and bridges.

To the committee on highways and bridges.

H. 387. An act requiring the listers to procure certain statistical information for the use of the agricultural and manufacturing commission.

To the committee on agriculture.

H. 451. An act in relation to the publication of the acts of the general assembly, and to repeal section 4583 of the Revised Laws, and No. 123 of the acts of 1882.

To the general committee.

H. 452. An act to amend section 4305 of the Revised Laws, relating to horse racing.

To the committee on the judiciary.

H. 453. An act in amendment of section 3386 of the Revised Laws, relating to sign boards at railroad crossings.

H. 454. An act in amendment of section six of number 23 of the laws of 1886.

H. 456. An act relating to grade crossings and flagmen.

To the committee on railroads.

A house bill entitled,

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens,

Was taken up and the senate refused the same a third reading.

A house bill entitled,

H. 470. An act changing the name of Cyna A. Lyman was read the first and second times, and, under a suspension of rules, read the third time and passed in concurrence.

A bill entitled,

S. 90. An act to enable towns to aid in commemorating centennial anniversaries,

Was taken up, having been returned from the house with proposal of amendment as follows :

By inserting in the third line of section one after the word "hold-en" the words *for that purpose*.

And the proposal of amendment was concurred in.

Mr. Fisk of Lamoille, from the committee on temperance legislation to which was referred a house bill entitled,

H. 101. An act in amendment of sections 3802 and 3803 of the Revised Laws,

Reported recommending the passage of the bill in concurrence.

Mr. Chamberlin moved that the senate propose to the house to strike out in lines two and three, section three, the words "in so far as they are inconsistent."

Which was agreed to and the bill was ordered to be read the third time to-morrow.

A bill entitled,

S. 97. An act defining a qualification of witnesses in civil proceedings,

Was taken up and the senate refused the same a third reading. Yeas, 13 ; nays, 15.

Mr. Bates having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Bates,  
Bell,  
Bunker,  
Chamberlin,

Fisk of Grand Isle,  
Fisk, of Lamoille,  
Higbee,  
Matteson,

Perkins,  
Ripley,  
Stranahan,  
Terrill.—13.

Those senators who voted in the negative are Messrs.

Briggs,  
Butterfield.  
Cramton,  
Frary,  
Giddings.

Holmes,  
Johnson,  
Jones,  
King,  
Mansur,

Peake,  
Simonds,  
Smith,  
Stevens,  
Taft.—15.

So the bill was refused a third reading.

A house bill entitled,

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction and the reform school,

Was taken up and passed in concurrence with proposal of amendment. Yeas, 15 ; nays, 14.

Mr. Johnson having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Bates,  
Bell,  
Briggs,  
Bunker,

Chamberlin,  
Fisk, of Grand Isle,  
Giddings,  
Hammond,  
Higbee,

Mansur,  
Matteson,  
Simonds,  
Stranahan,  
Terrill.—15.

Those senators who voted in the negative are Messrs.

Butterfield,  
Cramton,  
Fisk of Lamotte,  
Frary,  
Holmes,

Johnson,  
Jones,  
King,  
Peake,  
Perkins,

Ripley,  
Smith,  
Stevens,  
Taft.—14.

So the bill was passed in concurrence with proposal of amendment.

A house bill entitled,

H. 248. An act to provide a revised roster of Vermont troops,  
Was taken up.

Mr. Smith moved that the senate propose to the house to amend the bill as follows:

First. By striking out in line one, section one, the words, "authorized to procure," and inserting in lieu thereof the words, *hereby directed to prepare*.

Second. By striking out in lines five, six and seven, same section, the words, "and if deemed advisable a compilation of official reports relating to the service of the said Vermont troops in the war."

Third. By striking out in line eight, same section, the word "compilation" and inserting in lieu thereof the word *index*, also in line nine, by striking out the figures "650" and inserting in lieu thereof the figures *500*.

Fourth. By striking out in line six, section two the word "preparation."

And the above proposals of amendment were agreed to.

Mr. Perkins moved that the senate propose to the house to further amend the bill by adding to section two the words *and one copy to each public and college library of the state*.

Which was agreed to, and the bill was passed in concurrence with proposals of amendment.

Mr. Bunker from the committee on education to which was referred a house bill entitled,

H. 441. An act relating to public instruction, being a revision of existing school laws, with additional provisions,

Reported recommending the passage of the bill in concurrence with proposals of amendment, as follows:

First. By striking out in line two section two the words "fif-

teen hundred" and inserting in lieu thereof the words *two thousand*.

Second. By striking out in line two section fourteen, and lines eleven and twelve section fifteen the word "April" and inserting in lieu thereof the word *May*.

Third. By inserting after the word "counties" in line two section fourteen the words *except the county of Bennington, in which county such meeting shall be held in the town of Arlington*.

Fourth. By striking out in line four section 235 the word eighteen and inserting in lieu thereof the word *twenty*.

Fifth. By striking out all of section 237 after the word "town" in line thirty-five and inserting in lieu thereof the words *entitled to the same upon the aggregate attendance in such districts*.

Which proposals of amendment were severally agreed to.

Mr. Mansur moved that the senate propose to the house to further amend the bill by striking out in line one and two, section one the words "the general assembly shall elect at each biennial session" and inserting in lieu thereof the words *upon the passage of this act at each biennial session of the legislature thereafter, the Governor shall, with the advice and consent of the senate, appoint*.

And the same was agreed to.

Mr. Chamberlin moved that the senate propose to the house to further amend the bill by inserting after the word "who" where it occurs in lines one and three of section 240 the word *knowingly*.

Which proposals of amendment were agreed to.

Mr. Butterfield moved that the senate propose to the house to further amend the bill by striking out in line five, section 87 the words "of the town," and inserting before the word "agent" in line four, same section, the word *town*.

Which was agreed to.

Thereupon Mr. Bates moved that the bill be ordered to lie and be made the special order for to-morrow forenoon at eleven o'clock.

And the same was agreed to.

At four o'clock and forty-five minutes in the afternoon, on motion of Mr. Mansur the senate went into executive session.

The president laid before the senate the following communication from His Excellency the Governor :



## STATE OF VERMONT,

EXECUTIVE DEPARTMENT, }  
MONTPELIER, November 22, 1888. }*To the President of the Senate:*

SIR:—I have the honor to state that I have appointed, subject to the advice and consent of the senate,

Samuel E. Pingree of Hartford,  
Ebenezer J. Ormsbee of Brandon,  
Truman C. Fletcher of St. Johnsbury,  
as a board of railroad commissioners for the term of two years from and after the first day of December, A. D. 1888.

WILLIAM P. DILLINGHAM, Governor.

Which was read.

Thereupon the persons above named, as nominated by the Governor, were confirmed by the senate under a suspension of rules as a board of railroad commissioners for a term of two years from the first day of December next.

On motion of Mr. Bunker the executive session was dissolved and the doors of the senate were opened.

Mr. Briggs moved that the senate do now adjourn,

And the same was agreed to.

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SATURDAY, NOVEMBER 24, 1888.

Reading of scriptures and prayer by the chaplain.

A house bill entitled,

H. 215. An act to prevent discrimination by telephone companies,

Was read the third time and passed in concurrence with proposals of amendment.

A house bill entitled,

H. 101. An act in amendment of sections 3802 and 3803 of the Revised Laws,

Was read the third time and passed in concurrence with proposals of amendment. Yeas, 24; nays 5.

Mr. Johnson having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Adams,  
Bates,  
Bell,  
Briggs,  
Bunker,  
Butterfield,  
Chamberlin,  
Fisk, of Lamolle,

Frary,  
Giddings,  
Hammond,  
Holmes,  
Johnson,  
Jones,  
King,  
Mansur,

Matteson,  
Parker,  
Ripley,  
Smith,  
Stevens,  
Stranahan,  
Tait,  
Terrill.—24.

Those senators who voted in the negative are Messrs.

Cramton,  
Fisk of Grand Isle,

Peake,  
Perkins.

Simonds.—5

So the bill was passed in concurrence with proposals of amendment.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 47. An act compelling the Canadian Pacific railway company to keep a flagman at the railroad crossing in Richford village.

H. 140. An act for the protection of fish in Lake Bomoseen.

H. 306. An act to provide for and regulate fishing in the waters of Lake St. Catherine in the towns of Wells and Poultney.

H. 341. An act to incorporate the Vermont loan and trust company.

H. 349. An act in amendment of an act to incorporate the village of Barre, approved November 24, 1886.

H. 354. An act to protect fish in Duck pond.

H. 368. An act to protect fish in Mink brook in the town of Concord.

H. 432. An act to amend an act to incorporate the Standard light and power manufacturing company,

In the passage of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bills of the following titles:

H. 146. An act relating to inebriates.

H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines.

H. 173. An act to amend section 2693 of the Revised Laws and simplify the collection of taxes.

H. 416. An act authorizing the repair of steps and walks in the state grounds.

H. 446. An act to revive and extend act number 179 of the acts of 1882, relating to the Coos Valley railroad.

And have concurred therein.

The house have considered senate bills of the following titles :

S. 68. An act to incorporate the Frost veneer seating company.

S. 74. An act to incorporate the Universalist convention of Vermont and Province of Quebec.

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

The house have considered joint resolutions from the senate as follows :

Joint resolution relating to a supplement to Roberts' Vermont digest, or a Vermont digest.

Joint resolution providing for the printing of the report of the inspector of finance.

And have adopted the same in concurrence.

The house have considered senate bill entitled,

S. 52. An act in addition to chapter 65 of the Revised Laws, relating to the attachment and sale of property upon which mortgagee, pledgee, vendor or bailee has a lien,

And have passed the same in concurrence.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 284. An act authorizing the consolidated railroad company of Vermont to take and hold the stock of the Vermont and Canada railroad company.

H. 398. An act to amend section 4193 of the Revised Laws, relating to burial grounds.

Bills of the following titles were severally read the third time and passed.

S. 46. An act in amendment of section 3812 of the Revised Laws, relating to intoxication.

S. 109. An act relating to stenographic court reports.

S. 122. An act in relation to causes in supreme court.

S. 142. An act to amend sections one thousand eight hundred and sixty and one thousand eight hundred and sixty-one of the Revised Laws, relating to proceedings in insolvency.

S. 144. An act relating to the traffic in intoxicating liquor.

S. 145. An act to provide for certain additions and improvements at the state prison at Windsor.

A bill entitled,

S. 140. An act to amend section four of act number sixteen of the session laws of 1886, relating to highways and bridges,

Was read the third time and on motion of Mr. Jones ordered to lie.

Bills of the following titles :

S. 146. An act in amendment of section twenty-seven of number forty-one of the acts of 1884, relating to savings banks and trust companies.

S. 147. An act for the better enforcement of the game and fish law.

Were severally taken up, ordered to be read the third time, read the third time and passed.

Mr. Butterfield moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens.

And the same was agreed to.

A bill entitled,

S. 74. An act to incorporate the Universalist convention of Vermont and Province of Quebec.

Was taken up, having been returned from the house with proposal of amendment as follows :

By substituting for section 3 of the same the following : *This act shall become effective when accepted by a majority of the members of such convention present, and voting at a meeting called at some place in the state of Vermont, each member having been notified of such meeting by mailing to his address a written notice of the time and place of such meeting, not more than thirty and not less than ten days prior thereto.*

And the same was concurred in.

A bill entitled,

S. 68. An act to incorporate the Frost veneer seating company,

Was taken up, having been returned from the house with proposal of amendment as follows :

By striking out all of section five before the word "act" in the ninth line of the same and inserting in lieu thereof the following :

*The property belonging to said corporation shall be exempt from taxation for the period of three years from the passage of this .*

And the proposal of amendment was concurred in.

A house bill entitled,

H. 441. An act relating to public instruction, being a revision of existing school laws with additional provisions,

Was taken up as a special order.

Mr. Butterfield moved that the senate propose to the house to further amend the bill by striking out in line seven, section fifty-one the word "eighteen" and inserting in lieu thereof the word *seventeen*.

Pending the question, will the senate agree to the same?

Mr. Taft moved to amend the pending proposal of amendment by striking out in lines six, seven and eight the words "but certificate shall be granted to a person not eighteen years of age."

And the same was disagreed to. Yeas 12, nays 18.

Mr. Bunker having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Bell,  
Butterfield,  
Chamberlin,

Cramton,  
Frery,  
Giddings,  
Hammond,

King,  
Peake,  
Stevens,  
Taft.—12.

Those senators who voted in the negative are Messrs.

Adams,  
Briggs,  
Bunker,  
Fisk of Grand Isle,  
Fisk of Lamolille,  
Higbee,

Holmes,  
Johnson,  
Jones,  
Mansur,  
Matteson,  
Parker,

Perkins,  
Ripley,  
Simonds,  
Smith,  
Stranahan,  
Terrill.—18.

So the amendment to the pending proposal of amendment was disagreed to.

Thereupon the amendment proposed by the senator from Windham was agreed to. Yeas 23, nays 7.

Mr. Holmes having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Adams,  
Bell,  
Briggs,  
Butterfield,  
Chamberlin,  
Frary,  
Giddings,  
Hammond,

Higbee,  
Holmes,  
Johnson,  
Jones,  
King,  
Mansur,  
Parker,  
Peake,

Perkins,  
Ripley,  
Smith,  
Stevens,  
Stranahan,  
Taft,  
Terrill.—28.

Those senators who voted in the negative are Messrs.

Bates,  
Bunker,  
Fisk of Lamoyille,

Matteson,  
Cramton,

Fisk, of Grand Isle,  
Simonds.—7.

So the amendment was agreed to.

Whereupon the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

### EXECUTIVE SESSION.

On motion of Mr. Butterfield, at eleven o'clock and forty-five minutes in the forenoon the senate went into executive session.

The president laid before the senate the following communication from His Excellency, the Governor:

### STATE OF VERMONT,

EXECUTIVE DEPARTMENT,  
MONTPELIER, November 24, 1888. }

*To the President of the Senate:*

SIR:—I have the honor to nominate for the consideration and advice of the senate,

W. W. Cooke of Burlington,  
William Chapin of Middlesex,  
Marvin W. Davis of Westminster,  
Homer W. Vail of Pomfret,  
Rollin C. Smith of Pittsford, and  
Edgar N. Bissell of Shoreham,

as members of the state board of agriculture, to hold office for the term of two years from and after the first day of December next.

WILLIAM P. DILLINGHAM,

*Governor.*

Which was read.

Whereupon, under a suspension of rules, the persons as above named by the Governor were confirmed by the senate as members of the state board of agriculture, to hold office for the term of two years from and after the first day of December, 1888.

On Motion of Mr. Perkins the executive session was dissolved and the doors of the senate were opened.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 47. An act compelling the Canadian Pacific railway company to keep a flagman at the railroad crossing in Richford village.

To the committee on railroads.

H. 341. An act to incorporate the Vermont loan and trust company.

To the committee on banks.

H. 349. An act in amendment of an act to incorporate the village of Barre, approved November the 24th, 1886.

H. 432. An act to amend an act to incorporate the standard light and power manufacturing company.

To the general committee.

H. 140. An act for the protection of fish in lake Bomoseen in the towns of Hubbardton and Castleton.

H. 306. An act to provide for and regulate fishing in the waters of lake St. Catherine in the towns of Wells and Poultney.

H. 354. An act to protect fish in Duck pond.

H. 368. An act to protect fish in Mink brook in the town of Concord.

To the joint committee on game and fisheries.

On motion of Mr. Butterfield the senate adjourned.

## AFTERNOON.

A bill entitled,

S. 148. An act in relation to barbed-wire fences,

Was taken up and ordered to be read the third time on Monday.

House bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage :

By Mr. Briggs from the committee on the judiciary,

H. 161. An act relating to taxation.

By Mr. Giddings from the committee on public health,

H. 304. An act in amendment of section 3210 of the Revised Laws, relating to burial grounds.

By Mr. Jones from the general committee,

H. 451. An act in relation to the publication of the acts of the general assembly, and to repeal section 4583 of the Revised Laws, and No. 123 of the acts of 1882.

And the same were severally refused a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

From the general committee, by Mr. Bates,

H. 386. An act relating to the village of Winooski.

By Mr. Johnson,

H. 459. An act in addition to No. 194 of the laws of 1882 entitled "An act incorporating the West Randolph graded school district."

By Mr. Cramton,

H. 443. An act changing the name of the Bennington knitting company.

By Mr. Chamberlin from the committee on agriculture,

H. 387. An act requiring the listers to procure certain statistical information for the use of the agricultural and manufacturing commission.

By Mr. Johnson from the committee on the judiciary,

H. 452. An act to amend section 4305 of the Revised Laws, relating to horse racing.

By Mr. Perkins from the committee on education,

An act enabling the town of Concord to accept the legacy and perform the trusts annexed thereto.

By Mr. Terrill from the committee on railroads,

H. 453. An act in amendment of section 3386 of the Revised Laws, relating to sign boards at railroad crossings.

H. 454. An act in amendment of section six of number twenty-three of the laws of 1886, relating to accident investigations.

H. 456. An act relating to grade crossings and flagmen.

By Mr. Taft from the general committee,

H. 461. An act extending the time for accepting an act to incorporate the village of Bristol, approved November 28th, 1886.



By Mr. Smith from the joint committee on game and fisheries,

H. 231. An act to protect fish in Lowell lake.

H. 86. An act to repeal number seventy-eight of the acts of the general assembly of the state of Vermont of A. D. 1886.

H. 140. An act for the protection of fish in lake Bomoseen.

H. 306. An act to provide for and regulate fishing in the waters of lake Saint Catherine in the towns of Wells and Poultney.

H. 354. An act to protect fish in Duck pond.

H. 368. An act to protect fish in Mink brook in the town of Concord.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Fisk moved that when the senate adjourns it be to meet on Monday afternoon at two o'clock.

And the same was disagreed to.

Mr. Jones (by request) offered a joint resolution as follows :

*Resolved by the Senate and House of Representatives,* That the janitor, sweepers and assistant engineer employed at the state house receive the sum of three dollars per day for their services during the present session.

Which was read and referred to the committee on finance.

Mr. Parker from the committee on agriculture to which was referred a bill entitled,

S. 101. An act to protect the dairy interests of Vermont,

Reported in favor of the passage of the bill, and on motion of Mr. Bates the same was ordered to lie.

Mr. Simonds from the committee on education to which was referred a house bill entitled,

H. 186. An act in aid of the university of Vermont and state agricultural college,

Reported in favor of the passage of the bill with proposals of amendment as follows :

First. By inserting after the word "college" in line three, section one, the words *the auditor of accounts is hereby authorized to draw his order on.*

Second. By striking out in lines nine and ten of section one, the words "is hereby authorized and directed to pay to" and inserting in lieu thereof the words, *in favor of.*

Third. By adding to the first section the following words: *And the auditor of accounts is further directed to draw his*

*order on the state treasurer in favor of the treasurer of Middlebury college, semi-annually on the first day of December, 1888, and for the period of four years thereafter, for the sum of twelve hundred dollars for scholarships in said college under the same conditions as are provided in this act for a like appropriation to the university of Vermont and state agricultural college.*

Also by adding to the title the words *and Middlebury college.*

Which proposals of amendment were severally agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

Mr. Giddings from the joint committee on public health to which was referred a bill entitled,

S. 45. An act defining the duties and powers of the state and local boards of health, of health officers and others,

Reported in favor of the passage of the bill when amended as follows:

First. By inserting after the word "towns" in line one, section one, the word *and.*

Second. By striking out in lines one and two of the same section the words "bailiffs and trustees of incorporated villages."

Third. By striking out in line nineteen of section two the words "burial or."

Fourth. By striking out in line thirty-nine of the same section the words "burial or."

Fifth. By striking out in lines forty-one, forty-two and forty-three of the same section the words "for each case of investigation and certificate of death where there was no physician in attendance he shall receive fifty cents."

Sixth. By striking out in lines two and three of section three the words "or of bailiffs or trustees of villages."

Seventh. By striking out in line thirteen of the same section the words "consumption, cancer, scrofula."

Eighth. By inserting in line fifteen of the same section after the word "diseases," the words *and property so destroyed shall be paid for by the town.*

Ninth. By inserting the word *or* after the word "city" in line two of section four.

Tenth. By striking out in line two of the same section the words "and incorporated village."

Eleventh. By striking out in lines eight, nine and ten of the same section the words "either by visiting the localities personally

or requesting another member of the board to visit them, or by writing or reading circulars."

Twelfth. By striking out in line seventeen of the same section the word "October" and inserting in lieu thereof the word *September*.

Thirteenth. By striking out all of section seven.

Fourteenth. By striking out in lines 12, 13, 14, 15 and 16 of section eight, the words "for this certificate the physician shall be entitled to a fee of twenty-five cents, to be paid by the person using the certificate."

Fifteenth. By striking out in line sixteen of the same section the words "burial or."

Sixteenth. By striking out in line twenty-one of the same section the words "burial or."

Seventeenth. By adding to section eight the words, *the fee for making the reports of births and deaths shall be fifteen cents each.*

Which proposals of amendment were severally agreed to, and the bill was ordered to be read the third time.

Read the third time and passed.

Mr. Higbee from the committee on agriculture to which was referred a house bill entitled,

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese,

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows:

First. By adding to section four of the bill the following words: *Provided, however, that nothing in this act shall be so construed as to prevent any person branding, marking or otherwise designating the product of his dairy as private creamery; but in all such cases the name of the maker shall be plainly marked on each package so branded, marked or otherwise designated.*

Second. By striking out all of section five and inserting in lieu thereof the following:

SECTION 5. *No person shall be entitled to use the word creamery, or private creamery, in branding, marking or otherwise designating his butter and cheese or the packages in which it is contained, without first having filed with the secretary of state, a sworn statement setting forth that the butter and cheese manufactured by him, and which he brands, marks or otherwise designates creamery or private-creamery butter and cheese, is made from pure, unadulterated milk, or the cream thereof, and further setting forth the particular means by which his creamery and his butter and cheese may be designated from other*

*creameries and other butter and cheese, and that he is the manufacturer of the butter and cheese so branded, marked or otherwise designated. Upon the receipt by the secretary of state of such sworn statement, with two dollars for a certificate, which money shall be turned over by him to the treasurer of the state, the secretary of state shall issue his certificate of the filing of the sworn statement, embodying therein the material facts of said statement. Such certificate shall entitle the person therein named to use the words creamery, or private creamery, on his butter and cheese and the packages containing the same one year from the date thereof.*

Third. By striking out all of section seven of the bill and renumbering sections eight and nine.

Which proposals of amendment were severally agreed to,

And the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 159. An act to pay David Kiley the sum therein named.

H. 171. An act in addition to and in amendment of No. 41 of the acts of 1884, relating to saving banks and trust companies.

H. 176. An act to pay J. H. Kidder the sum therein named.

H. 191. An act in addition to an act providing for the construction of a jail-keeper's dwelling, and a barn, in the county of Chittenden, approved November 22, 1886, and for other purposes.

H. 183. An act to amend section 342 of the Revised Laws, relating to the duties of listers.

H. 217. An act in addition to chapter one hundred sixty-nine, relating to common nuisances.

H. 230. An act in amendment of and in addition to chapter one hundred sixty-nine of the Revised Laws, entitled the traffic in intoxicating liquors.

H. 256. An act relating to the election of moderator and other town officers.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 31. An act to incorporate the Barre savings bank and trust company.

S. 93. An act to amend section 3013 of the Revised Laws, relating to laying out winter roads.

S. 98. An act to enable towns to aid in the construction of telephone lines.

S. 137. An act relating to the pay and expenses of a state's attorney in certain cases.

And have refused the same a third reading.

The house have voted to insist upon their proposals of amendment to senate bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes,

And ask for a committee of conference on the disagreeing votes of the two houses, and have appointed as such committee on the part of the house,

Mr. Marsh of Woodstock,  
Prouty of Newport,  
Boyden of Randolph.

Mr. Johnson from the committee on the judiciary to which was referred a bill entitled,

S. 72. An act relating to proof of claims in insolvency,

Reported in favor of the passage of the bill when amended as follows :

First. By striking out in lines five and six of section one, the words "filing of the petition," and inserting in lieu thereof the words *adjudication of insolvency*.

Second. By striking out in lines 9, 10 and 11 of the same section, the words "not proven or disallowed and the allowance or disallowance appealed from within six months from the filing of the petition," and inserting in lieu thereof the words *not filed within six months from the adjudication of insolvency*.

Third. By adding to section four the following words: *But shall not apply to pending causes*.

Which proposals of amendment were severally agreed to, and the bill was ordered to be read the third time, read the third time and passed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

**MR. PRESIDENT :**

I am directed to inform the senate that the house have passed bills of the following titles :

H. 276. An act to authorize the establishment of societies for the prevention of cruelty to animals.

H. 288. An act to authorize the payment of checks, demand drafts, and savings orders in case of the death of the drawer before payment.

H. 295. An act taxing telegraph companies.

H. 338. An act relating to the compensation of county clerks.

H. 351. An act amending section 3953 Revised Laws, relating to pedlars.

H. 364. An act to prevent unjust discrimination by railroad companies.

H. 379. An act in amendment of section 3794 of the Revised Laws, relating to the duties of town liquor agents.

In the passage of which the concurrence of the senate is requested.

I am directed to request the senate to return to the possession of the house senate bill entitled,

S. 98. An act to enable towns to aid in the construction of telephone lines.

Mr. Taft from the general committee, reported a bill entitled,

S. 149. An act in amendment of and in addition to act No. 152 of the acts of 1886 entitled "An act to enlarge the powers and to amend the articles of the young men's christian association of Burlington, Vermont.

Which was read the first and second times, and, under a suspension of the rules, read the third time and passed.

Mr. Taft from the committee on the judiciary reported a bill entitled,

S. 150. An act relating to sections 1895 and 1906 of the Revised Laws, relating to homesteads.

Which was read the first and second times, and, under the rule, ordered to lie and be printed.

Mr. Taft from the joint committee on state and court expenses, reported bills of the following titles :

S. 151. An act in regard to salaries of judges of probate.

S. 152. An act in regard to fees, blanks and record books in probate and insolvency courts.

Which were severally read the first and second times, and, under the rule, ordered to lie and be printed.

Mr. Taft from the general committee to which was referred a house bill entitled,

H. 432. An act to amend an act entitled "An act to incorporate the standard light and power manufacturing company,"

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows:

First. By inserting after the word "operating" in line seven, the word *electrical*.

Second. By striking out all of line eight of the bill.

Which proposals of amendment were severally agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 338. An act relating to the compensation of county clerks.

H. 351. An act amending section 3953 Revised Laws, relating to pedlers.

To the joint committee on state and court expenses.

H. 295. An act taxing telegraph companies.

To the committee on finance.

H. 256. An act relating to the election of moderator and other town officers.

H. 379. An act in amendment of section 3794 of the Revised Laws, relating to the duties of town liquor agents.

To the committee on judiciary.

H. 364. An act to prevent unjust discrimination by railroad companies.

To the committee on railroads.

H. 171. An act in addition to and in amendment of No. 41 of the acts of 1884, relating to savings banks and trust companies.

H. 288. An act to authorize the payment of checks, demand drafts and savings orders in case of the death of the drawer before payment.

To the committee on banks.

H. 276. An act to authorize the establishment of societies for the prevention of cruelty to animals.

To the general committee.

H. 159. An act to pay David Kiley the sum therein named.

H. 176. An act to pay J. H. Kidder the sum therein named.

To the committee on claims.

H. 183. An act to amend section 342 of the Revised Laws, relating to the duties of listers.

To the committee on the grand list.

H. 191. An act in addition to an act providing for the construction of a jail-keeper's dwelling and a barn in the county of Chittenden, approved November 22d, 1886, and for other purposes.

To a special committee consisting of the senators from Chittenden county.

H. 217. An act in addition to chapter 169 of the Revised Laws, relating to common nuisances.

H. 230. An act in amendment of and in addition to chapter 169 of the Revised Laws, entitled "The traffic in intoxicating liquors."

To the special joint committee on temperance legislation.

Mr. Mansur moved that the senate return to the house, agreeably to its request, a bill entitled,

S. 98. An act to enable towns to aid in the construction of telephone lines.

Which was agreed to.

Mr. Taft from the general committee to which was referred a bill entitled,

S. 36. An act providing for the formation of the co-operative savings and loan association,

Reported in favor of the passage of the bill when amended as follows:

By striking out section two of the bill.

Which propospal of amendment was agreed to, and the bill was ordered to be read the third time, read the third time and passed.

Mr. Butterfield moved that the senate reconsider its vote refusing a third reading to a house bill entitled,

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens.

And the same was agreed to.

And on motion of Mr. Butterfield the bill was ordered to lie.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:



MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 343. An act to pay Loomis Wells the sum therein named.

H. 382. An act to regulate the dispensing of medicines by druggists on the order of physicians and surgeons.

H. 390. An act relating to investments of savings banks.

H. 406. An act to amend sections 165 and 168, Revised laws, relating to the state geologist and curator of the cabinet.

H. 414. An act to prohibit discrimination in life or endowment insurance policies.

H. 437. An act relating to providing poor children in towns with clothing suitable for wear in school.

H. 438. An act to pay John L. Tuttle the sum therein named.

H. 460. An act to amend section 3276 of the Revised Laws.

H. 462. An act to amend section 4212 of the Revised Laws.

H. 463. An act to establish a permanent camp ground for the use of the militia.

H. 464. An act enlarging the duties of certain state officers and commissioners in regard to making reports.

H. 465. An act to pay I. S. Dubur the sum therein named.

H. 466. An act enlarging the jurisdiction of a judge to take bail.

H. 467. An act to amend chapter 168 of the Revised Laws of Vermont, entitled "militia."

H. 468. An act in amendment of section 4019 of the Revised Laws, relating to the preservation of domestic animals.

H. 469. An act relating to railroad crossings.

In the passage of which the concurrence of the senate is requested.

I am directed to return to the possession of the senate, agreeably to their request, house bill entitled,

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 469. An act relating to railroad crossings.

To the committee on railroads.

H. 460. An act to amend section 3270 of the Revised Laws.

H. 468. An act in amendment of section 4019 of the Revised Laws, relating to the preservation of domestic animals.

H. 462. An act to amend section 4211 and section 4212 of the Revised Laws.

To the committee on agriculture.

H. 343. An act to pay Loomis Wells the sum therein named.

H. 438. An act to pay John L. Tuttle the sum therein named,

H. 465. An act to pay I S. Dubur the sum therein named.

To the committee on claims.

H. 414. An act to prohibit discrimination in life or accident insurance policies.

H. 464. An act enlarging the duties of certain state officers and commissioners in regard to making reports.

H. 466. An act enlarging the jurisdiction of a judge to take bail.

To the committee on the judiciary.

H. 463. An act to establish a permanent camp ground for the use of the militia.

H. 467. An act to amend chapter 168 of the Revised Laws of Vermont, entitled "militia."

To the committee on military affairs.

H. 382. An act to regulate the dispensing of medicines by druggists on the order of physicians and surgeons.

H. 406. An act to amend sections 165 and 168, Revised Laws, relating to the state geologist and curator of the cabinet.

To the general committee.

H. 437. An act relating to providing poor children in towns with clothing suitable for wear in schools.

To the committee on education.

H. 390. An act relating to investments of savings banks.

To the committee on banks.

On motion of Mr. Adams, the senate adjourned.

MONDAY, NOVEMBER 26th, 1888.

The president *pro tempore* in the chair.

Reading of scriptures and prayer by the chaplain.

Mr. Adams from the special committee to which was referred a bill entitled,

S. 94. An act to pay the St. Regis Indians the sum therein named.

Submitted the following report :

*To the Honorable Senate* :—The committee to which was referred senate bill No. 94, "An act to pay the St. Regis Indians" blank sum of dollars, have considered the memorial presented by the said Indians and the pleadings of their attorneys, and now respectfully report adversely to the bill.

We are asked to give our reasons for refusing the claim.

In the first place we do not understand that the legislature sitting at Vergennes in 1798, conceded the claim as the memorial sets forth. The legislature instructed the Governor to investigate the matter, and in his report to the general assembly in 1799, he says, "I cannot learn that the state of New York was governed so much by a principle of justice as by policy in the compensation made by that state in this late treaty with these people. The claims of the Indians to lands in the state of New York, and for which they received a compensation from that government, I conceive to be somewhat variant from their claim to lands in this state."

The joint committee of the legislature to which this report from Governor Tichenor was referred made report that they "were fully of opinion that this claim, *if it ever did exist, has long since been done away, and become extinct*,—and that the said Indians have now no real claim, either in justice or equity." The committee mention the treaty of peace between Great Britain and France in 1763, and that between England and the United States in 1783 as barriers to said claim.

Secondly. It is conceded by the attorneys in this case, that the rights of the Indian people were "tribal," belonged to the nation as a whole, and no single tribe or person would sell or convey any real estate or give title to the same. If it be admitted that the Mohawks, or any tribe of the "Six Nations" known as *Iroquois*, had an original title to lands in Vermont which was not

extinguished by conquest, or by any treaty on the part of the Dutch, the French, or the English, nor by the state of New York, it does not follow that the claim of this "St. Regis band," so called, is valid.

The attorneys admit that the Cognawagahs, in whose name the claim was originally made, (See Governor Tichenor's report), and of whom the St. Regis band were a part, removed from the valley of the Mohawk into Canada and joined the French against the English; in other words, *seceded* from their nation, were seduced away by the Jesuits, and did really and effectually relinquish, abandon all their tribal rights and claims.

It is true an exception is made of the St. Regis tribe. It is said that these remained friendly to the English, and took side with the Americans in the revolutionary war and in 1812. But how, it must be asked, could these few, who had, with the Cognawagahs, and "Praying Indians" originally abandoned, lost, forfeited all tribal interest, right and claim in the *Iroquois* or Mohawk nation, come back after a hundred years or more, and regain what the nation, as a nation, had parted with?

This remnant did not represent the *Iroquois* nation or league any more than the "Southern Confederacy" represented the United States.

It would be no straining of law or morals to say that by lapse of time and the laws of nature and civilization, any ancient claims of savage men have become extinct, or, to say the least, merged into the new rights of the new order of things, wherein this remnant of the aborigines shall be entitled to share. The state assumes that no individual or corporate monopoly shall stand in the way of the right development of society.

But as it is on legal grounds that the claim is made, we desire to refer here, in conclusion, to some observations of Mr. Hotchkiss in 1855.

Mr. Hotchkiss was a commissioner on the part of Vermont to confer with and conciliate, and, if possible, adjust the supposed claims of these people. He treated the matter with great fairness to the Indians. He says to them, "I have already shown you in a previous reply that you forsook your country as early as 1675, and yourselves admit that you left your country even earlier than this period, and emigrated to the province of Lower Canada; you then swore allegiance to the French government, became their allies in war, and the inveterate enemies of the English in America." Mr. Hotchkiss treats the tribe of the St. Regis as one with the other tribes of the *Iroquois* at Cognawagah and the Lake of the Two Mountains, as they originally claimed, and speaks of them as in fact, deserters from their nation.

It is scarcely necessary to multiply reasons for rejecting this claim, which might easily be done. We think, however, it might

be well, and for the interests of all concerned, the Indians who appear here so frequently as well as the state, to put an end to the question; if need be, to pass a joint resolution that the general assembly will receive no more memorials, will entertain no further proposition pertaining thereto. We have drawn and herewith present such a resolution as we believe the general assembly can with justice and propriety, adopt. All of which is respectfully submitted.

A. N. ADAMS,

*For the Committee.*

November 26th, 1888.

Which was read and an accompanying preamble and resolution as follows :

WHEREAS, a memorial has been presented to this general assembly by the "St. Regis band" of the Mohawk tribe of *Iroquois* Indians residing in the village of St. Regis in the town of Bombay, in the county of Franklin in the state of New York, renewing and repeating an ancient claim, first made by the Cognawagah and other tribes of Canadian Indians in 1798, to the ownership of and to payment for about two million acres of the land of northwestern Vermont, which said claim has been many times repeated, and as often as made, respectfully entertained, inquired into, and rejected by the legislature. Now, therefore, be it

*Resolved by the Senate and House of Representatives*, That the said memorialists have leave and be respectfully requested to withdraw said memorial. That it is in the judgment of this body that it is not to the interest or advantage of the memorialists to renew or repeat this their ancient and oft rejected claim, and we believe the general assembly ought not to receive or entertain any further application or memorial pertaining to said claim.

Was read and adopted on the part of the senate,

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 207. An act relating to the village of Fairhaven.

H. 318. An act to incorporate the Brandon investment and guarantee company.

H. 345. An act to protect the public, and to prevent adulteration of dairy products and fraud in the sale thereof.

H. 376. An act authorizing Barre academy and its trustees to convey property, and relating to grammar school funds in Barre.

S. 17.

H. 485. An act to incorporate the village of Brandon.

H. 476. An act to legalize the grand lists of the town of Dorset for the years 1887 and 1888.

In the passage of which the concurrence of the senate is requested.

The house have adopted a joint resolution relating to the agricultural college,

In the adoption of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 37. An act relating to the support of the insane poor.

S. 47. An act to repeal sections 2363 and 2364 of the Revised Laws, relating to divorce proceedings.

S. 82. An act relating to gas and electric light companies.

S. 99. An act providing for repairing the court house in Caledonia county; and laying a tax on said county.

S. 143. An act changing the name of Ernest Archer Sanborn.

And have passed the same in concurrence.

The house have considered senate bills of the following titles :

S. 71. An act for the relief of the West Fairlee savings bank.

S. 106. An act relating to the compensation of persons appointed by the Governor under joint resolutions of the legislature.

S. 115. An act to amend number sixty-four of the laws of 1886, entitled an act in addition to chapter ninety-three of the Revised Laws, relating to courts of insolvency.

S. 118. An act in amendment of section 4538 of the Revised Laws, relating to fees and duties of town clerks.

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bills of the following titles :

H. 101. An act in amendment of sections 3802 and 3803 of the Revised Laws.

H. 199. An act in relation to the execution of warrants for the commitment to the state prison, the house of correction and the reform school.

H. 248. An act to provide a revised roster for Vermont troops.

And have concurred therein.

A bill entitled,

S. 148. An act in relation to barbed-wire fences,

Was read the third time.

Mr. Higbee moved that the bill be committed to a senator to amend by striking out sections two and four and renumbering the sections consecutively.

Which was agreed to and the bill was committed to the senator from Chittenden to amend who reported the same back amended agreeably to the instructions of the senate.

Thereupon the bill was passed.

Mr. Parker from the joint committee on state and court expenses reported a bill entitled,

S. 153. An act relating to the payment of the salaries provided by law to the secretary of the senate and clerk of the house.

Was read the first and second times, and, under a suspension of rules, read the third time and passed.

Mr. Parker from the joint committee on state and court expenses to which was referred a bill entitled,

H. 338. An act relating to the compensation of county clerks,

Reported in favor of its passage in concurrence.

Mr. Briggs moved that the senate propose to the house to amend the title to the bill by striking out the word "compensation" and inserting in lieu thereof the word *duties*.

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Hammond moved that the rules be suspended and bills be put upon their third reading when reported favorably unless objection be made, and the same was agreed to.

Mr. Butterfield from the committee on the judiciary to which was referred a house bill entitled,

H. 414. An act to prohibit discrimination in life or endowment insurance policies,

Reported in favor of the passage of the bill in concurrence with proposal of amendment to strike out section 3.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Taft from the committee on the judiciary to which was referred a house bill entitled,

H. 466. An act enlarging the jurisdiction of a judge to take bail,

Reported in favor of its passage, and the bill was read the third time and passed in concurrence.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 256. An act relating to the election of moderator and other town officers,

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

First. By striking out all of section 1 after the word "tempore" in the sixth line thereof.

Second. By striking out in line four, section two the words "the moderator" and inserting in lieu thereof *all town officers*, also in the fifth line of the same section by striking out the word "fifty" and inserting in lieu thereof the words *twenty-five*, also by striking out in the fifth, sixth and seventh lines of the same section "and upon similar demand a ballot shall be had for the remaining town officers."

Third. By inserting in line two, section three before the word "moderator" the word *the*, also by striking out all of section three after the word "moderator" in the second line thereof.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Mansur from the committee on the judiciary,

H. 464. An act enlarging the duties of certain state officers and commissioners in regard to making reports.

From the committee on military affairs, by Mr. Mansur,

H. 463. An act to establish a permanent camp ground for the use of the militia.

By Mr. Stranahan,

H. 467. An act to amend chapter 168 of the Revised Laws of Vermont, entitled "militia."

From the joint committee on state and court expenses, by Mr. Parker,

H. 351. An act amending section 3953, Revised Laws, relating to pedlars.



From the committee on banks, by Mr. Stranahan,

H. 171. An act in addition to and in amendment of number forty-one of the acts of 1884, relating to savings banks and trust companies.

H. 341. An act to incorporate the Vermont loan and trust company.

From the committee on claims, by Mr. Bell,

H. 343. An act to pay Loomis Wells the sum therein named.

H. 438. An act to pay John L. Tuttle the sum therein named.

By Mr. Briggs,

H. 159. An act to pay David Kiley the sum therein named.

H. 176. An act to pay J. H. Kidder the sum therein named.

H. 465. An act to pay I. S. Dubur the sum therein named.

By Mr. King from the committee on banks,

H. 288. An act to authorize the payment of checks, demand drafts and savings orders in case of the death of the drawer before payment.

And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

A bill entitled,

S. 118. An act in amendment of section 4538 of the Revised Laws, relating to fees and duties of town clerks,

Was taken up having been returned from the house with proposal of amendment as follows:

By striking out the word "ten" where it occurs in the eighteenth and twentieth lines of section one, and inserting in lieu thereof the word *twenty*.

And the same was concurred in.

A joint resolution from the house as follows:

*Resolved by the Senate and House of Representatives, That a committee of three be appointed by the Governor, whose duty shall be to consider the advisability of establishing a school of agriculture similar to that proposed in house bill 367, and report by bill or otherwise to the next biennial session of the legislature. The said committee shall investigate the condition of similar institutions in other states and embody the result of information so obtained in their report.*

Was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 476. An act to legalize the grand lists of the town of Dorset for the years 1887 and 1888.

To the committee on the grand list.

H. 345. An act to protect health and to prevent adulteration of dairy products and fraud in the sale thereof.

To the committee on agriculture.

H. 318. An act to incorporate the Brandon investment and guarantee company.

To the committee on banks.

H. 207. An act relating to the village of Fairhaven.

H. 435. An act to incorporate the village of Brandon.

To the general committee.

H. 376. An act authorizing Barre academy and its trustees to convey property, and relating to the grammar school fund in Barre.

To the committee on education.

Mr. Jones moved that the senate reconsider its vote adopting in concurrence a joint resolution from the house relating to agricultural college.

And the same was agreed to.

On motion of Mr. Briggs the same was ordered to lie.

A bill entitled,

S. 106. An act relating to the compensation of persons appointed by the Governor under joint resolutions of the legislature,

Was taken up having been returned from the house with proposal of amendment as follows :

By striking out all after the enacting clause and inserting in lieu thereof the following :

*SECTION 1. Members of commissions provided for by joint resolution or act of the legislature, unless compensation is fixed in the act or resolution, shall be paid five dollars per day and expenses while in the discharge of their duty.*

*SECTION 2. The voucher for such payment shall be a detailed statement of time and expenses, verified by oath.*

*SECTION 3. This act shall take effect from its passage.*

Thereupon the proposals of amendment were concurred in.

A bill entitled,

S. 71. An act for the relief of the West Fairlee savings bank,

Was taken up having been returned from the house with proposals of amendment as follows :

By striking out the words and figures "August 10th, 1883," where the same occur in the third and ninth and tenth lines of section one, and inserting in lieu thereof the words and figures *August 27th, 1885.*

Also by adding to said section the words *amounting to the sum of one hundred seventy-one and eighty-three one hundredths dollars.*

Pending the question, will the senate agree to the same? on motion of Mr. Smith, ordered to lie.

A bill entitled,

S. 115. An act to amend No. 64 of the laws of 1886, entitled "An act in addition to chapter ninety-three of the Revised Laws, relating to courts of insolvency,"

Was taken up having been returned from the house with proposal of amendment as follows :

By striking out in section one, line four the word "whenever" and inserting in lieu thereof the words *but when.*

And the proposal of amendment was concurred in.

On motion of Mr. Mansur, the senate adjourned.

## AFTERNOON.

President in the chair.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 156. An act to pay Mary A. Cutler the sum therein named.

H. 226. An act to make the instruction of temperance in our common schools more effective.

H. 229. An act to amend section 20 of number two of the acts of 1882, relating to the grand list.

H. 257. An act relating to loan and investment companies, and enlarging the powers of the inspector of finance.

H. 292. An act to pay Joseph Ainsworth the sum therein named.

H. 204. An act to suppress bucket shops, and gambling in stocks, bonds, petroleum, cotton, grain and provisions.

H. 308. An act in amendment of section 3611 of the Revised Laws, relating to insurance companies.

H. 324. An act relating to inquests of the dead and appointing medical examiners.

H. 340. An act to protect the inhabitants of the state against the destruction of life and property by dynamite or other dangerous explosives.

H. 346. An act to shorten the school hours of children between five and eight years of age.

H. 347. An act repealing act number 18 of the session laws of 1886, relating to turnpikes.

H. 420. An act in amendment of section 3800 of the Revised Laws, relating to traffic in intoxicating liquor.

H. 427. An act to prevent betting on the result of elections.

H. 477. An act to incorporate the East Orange union society.

In the passage of which the concurrence of the senate is requested.

The house have on their part adopted joint resolutions as follows:

Joint resolution relating to pay of the clerk of committee on revision of bills.

Joint resolution relating to the fishery question.

In the adoption of which the concurrence of the senate is requested.

The house have considered senate bill entitled,

S. 63. An act in amendment of section 3813 of the Revised Laws, relating to the punishment of persons found intoxicated.

And have passed the same in concurrence.

Also senate bill entitled,

S. 141. An act providing for the care, custody and treatment of the insane poor and insane criminals of the state.

And have passed the same in concurrence with proposal of amendment, in the adoption of which the concurrence of the senate is requested.

The house have reconsidered their vote refusing a third reading of senate bill entitled,

S. 98. An act to enable towns to aid in the construction of telephone lines.

And have again refused the same a third reading.

A bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes,

Was taken up and the request of the house for a committee of conference on the disagreeing votes of the two houses on house proposals of amendment to the bill was acceded to, and the president appointed as such committee of conference on the part of the senate,

Senator Giddings,  
Briggs,  
Butterfield.

Mr. Briggs from the committee on the judiciary to which was referred a house bill entitled,

H. 379. An act in amendment of section 3794 of the Revised Laws, relating to the duties of town liquor agents,

Reported adversely to its passage in concurrence and the same was refused a third reading.

Joint resolutions from the house as follows :

*Resolved by the Senate and House of Representatives, That* Mr. Guy Wilson, the clerk of the committee on revision of bills, receive for his services during the present session, the same pay as a member of the general assembly, three dollars a day during the entire session, and mileage, and the auditor of accounts is hereby directed to draw an order on the state treasurer in payment of the same.

*Resolved by the Senate and House of Representatives, That* His Excellency, the Governor, is hereby directed to call the attention of the senators and representatives from this state in congress to the unequal and inconsistent laws of this state and the Dominion of Canada, relating to the preservation of fish in the waters of Lake Champlain, including the time when and the method by which they may be taken from said waters, to the end that the laws and regulations regarding these matters existing in the Dominion of Canada and in this state may be harmonious, and thus the rights of our citizens be better protected. The Governor is further authorized, if in his judgment it should be desirable, to appoint commissioners to confer with persons appointed and acting either for the government of New York or Canada, or each of them, as to the best means to be recommended to accomplish the desired results.

Were severally read and adopted in concurrence.

Mr. Stranahan offered the following joint resolution :

*Resolved by the Senate and House of Representatives, That* the auditor of accounts is hereby directed to draw his order on the state treasurer in favor of the assistant secretary of the senate, and the assistant clerks and reporter, and assistant reporter of the house, for their respective mileage fees at the rates paid the members of the general assembly.

Which was read and adopted on the part of the senate.

A message was received from His Excellency, the Governor, by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that on the twenty-third day of November, he approved and signed bills originating in the senate of the following titles, to wit :

S. 3. An act to amend section 2271 of the Revised Laws, relating to appeals from commissioners.

S. 51. An act for the relief of the families of insane persons.

S. 90. An act to enable towns to aid in commemorating centennial anniversaries.

S. 91. An act in amendment of section four hundred and three of the Revised Laws, relating to the sale of lands of non-residents for taxes.

S. 102. An act to legalize the grand lists of the town of Peacham for the years 1886, 1887 and 1888.

S. 114. An act relating to fees in chancery cases.

S. 130. An act to amend number two of the session laws of 1882, relating to the grand list.

S. 136. An act reviving and extending an act entitled "An act to incorporate the West Fairlee railroad company," approved November 10, 1860, and in amendment thereof.

S. 135. An act to provide for certain repairs and improvements of the house of correction at Rutland.

S. 139. An act to pay O. O. Davis the sum therein named.

That on the twenty-fourth day of November he approved and signed bills originating in the senate of the following titles :

S. 59. An act for the incorporation of independent local churches.

S. 76. An act to incorporate the Brandon yarn and knitting company.

S. 85. An act to incorporate the Woodstock hotel company.

S. 87. An act to incorporate the comrades of Brooks post.

S. 124. An act to amend an act incorporating the village of Montpelier, approved November 14, 1855.

S. 52. An act in addition to chapter sixty-five of the Revised Laws, relating to the attachment and sale of property upon which mortgagee, pledgee, vendor or bailee has a lien.

That he has this day approved and signed bills originating in the senate of the following titles :

S. 138. An act to incorporate the Grand Isle county telephone company.

S. 64. An act to incorporate the village of Morrisville.

S. 95. An act to amend the charter of the Winooski and Burlington horse railroad company, approved October 31, 1872.

S. 112. An act amending section seven of the acts to incorporate the village of St. Johnsbury, approved November 23, 1852.

S. 68. An act to incorporate the Frost veneer seating company.

S. 74. An an to incorporate the Universalist convention of Vermont and Province of Quebec.

Mr. Taft moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 326. An act to amend "An act to incorporate the North-field house aqueduct company."

And the same was agreed to.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 322. An act in amendment of section seven of number 73 of the laws of 1884, relating to fishing.

H. 363. An act relating to the repairing of highways in winter.

H. 480. An act in amendment of an act to establish the Rutland graded school.

H. 481. An act to incorporate the Brattleboro gas light company.

In the passage of which the concurrence of the senate is requested.

Mr. Fisk of Grand Isle from the committee on highways and bridges to which was referred a house bill entitled,

H. 127. An act relating to the repairing of highways and bridges,

Reported for a majority of the committee adversely to the passage of the bill.

Mr. Matteson moved that the bill lie and be made the special order for to-morrow forenoon at eleven o'clock.

And the same was agreed to.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 156. An act to pay Mary A. Cutler the sum therein named.

H. 292. An act to pay Joseph Ainsworth the sum therein named.

To the Committee on claims.



H. 229. An act to amend section 20 of No. 2 of the acts of 1882, relating to the grand list.

To the committee on the grand list.

H. 226. An act to make the instruction of temperance in our common schools more effective.

H. 420. An act in amendment of section 3800 of the Revised Laws, relating to the traffic in intoxicating liquor.

To the special joint committee on temperance legislation.

H. 308. An act in amendment of section 3611 of the Revised Laws, relating to insurance companies.

H. 481. An act to incorporate the Brattleboro gas-light company.

H. 477. An act to incorporate the East Orange union society.

To the general committee.

H. 340. An act to protect the inhabitants of the state against the destruction of life and property by dynamite or other dangerous explosives.

H. 204. An act to suppress bucket shops and gambling in stocks, bonds, petroleums, cotton, grain and provisions.

To the committee on the judiciary.

H. 346. An act to shorten the school hours of children between five and eight years of age.

H. 480. An act in amendment of an act to establish the Rutland graded school.

To the committee on education.

H. 347. An act repealing act number eighteen of the session laws of 1886, relating to turnpikes.

H. 363. An act relating to the repairing of highways in winter.

To the committee on highways and bridges.

H. 322. An act in amendment of section seven of number seventy-three of the laws of 1884, relating to fishing.

To the joint committee on game and fisheries.

H. 257. An act relating to loan and investment companies and enlarging the powers of the inspector of finance.

To the committee on banks.

H. 324. An act relating to inquests of the dead and appointing medical examiners.

To the committee on public health.

H. 427. An act to prevent betting on the result of elections.

To the committee on elections.

A bill entitled,

S. 141. An act providing for the care, custody and treatment of insane poor and insane criminals of the state,

Was taken up having been returned from the house with proposal of amendment as follows :

By striking out section one and inserting in lieu thereof the following: *The Governor shall appoint three trustees, one for two years, one four years and one for six years from the first of December next, and thereafter at each biennial session of the general assembly, one member of said board shall be appointed by and with the consent of the senate, for the term of six years in place of the member whose term of office expires on the first day of December following each biennial session of the general assembly. The Governor of the state shall, ex-officio, be a member of said board of trustees.*

Thereupon the amendment proposed by the house was concurred in.

Mr. Stevens from the committee on manufactures to which was referred a bill entitled,

S. 69. An act for the better preservation of horse records,

Reported recommending that the bill be passed, and the same was ordered to be read the third time, read the third time and passed.

Mr. Hammond from the committee on the grand list to which was referred a house bill entitled,

H. 476. An act to legalize the grand lists of the town of Dorset for the years 1887 and 1888,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Stranahan from the committee on banks to which was referred a house bill entitled,

H. 318. An act to incorporate the Brandon investment and guarantee company,

Reported in favor of the passage of the bill in concurrence with proposal of amendment, by striking out the word "three" in line three, section six and inserting in lieu thereof the word *five*.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Johnson moved that the senate request the house to return to the possession of the senate a house bill entitled,

H. 365. An act amending section 820 of the Revised Laws of Vermont, relating to justices of the peace.

And the same was agreed to.

A house bill entitled,

H. 79. An act to incorporate the West Rutland aqueduct company,

Was taken up, having been returned from the house agreeably to the request of the senate.

Mr. Taft moved that the vote passing the bill in concurrence be reconsidered.

Which was agreed to.

The question being shall the bill be passed in concurrence? Mr. Taft moved that the senate propose to the house to amend the bill as follows:

First. In section one by inserting at the beginning of the seventeenth line of said section before the word *purchase* the following: "acquire."

Second. In section one by striking out all that part of said section which follows the word "property" in the eighteenth line of said section, and inserting in place of the part struck out the following: "not exceeding fifty thousand dollars in value, may have a corporate seal and may have all the powers and privileges and shall be subject to all the duties and liabilities of the general laws regulating such corporations."

Third. In section two by inserting at the end of the fourth line after the word amount the words "not exceeding fifty thousand dollars."

Fourth. By striking out sections five, six, and seven, and inserting in place thereof the following:

"SECTION 5. Said corporation may for the purposes set forth in this act, take by purchase or otherwise the waters from any spring or springs, pond, brook, or streams within the town of West Rutland, or the waters from any spring or springs, pond, brook, or streams flowing or emptying into any of said first described spring or springs, pond, brook, or streams, or so much of the above-mentioned waters as may be necessary for supplying said town for the purposes named in section one of this act; and may also take by purchase or otherwise, the water rights connected with

such water sources ; and also all the lands, rights of way and easements necessary for the holding and preserving of such water, and for increasing its supply, and preserving its purity, and conveying and distributing of the same to any part of said town, and may erect, or cause to be erected on the lands thus taken or held, proper dams, buildings, fixtures and other structures, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works ; and may construct and lay down conduits, pipes and other works, under and over any lands, water-courses, railroads and other public and private ways, and along any such ways in such manner as not unnecessarily to obstruct the same, and for the purpose of constructing and maintaining and keeping in repair such conduits, pipes and other works, and for all proper purposes of this act, said corporation may dig up any such lands, and may enter upon and dig up such ways in such manner as to cause the least hindrance to the public travel on such ways, but said ways shall be put by said corporation in as good condition as before.

“SECTION 6. Said corporation shall, within sixty days after taking of any lands, rights of way, water rights, water sources, or easements, as aforesaid, other than by purchase, file and cause to be recorded in the town clerk's office of said West Rutland, description thereof sufficiently accurate for identification, with a statement of the purposes for which the same were taken, and the amount of damages awarded or tendered for such taking, signed by the president of said corporation.

SECTION 7. Said corporation, before entering upon any lands or taking any springs, waters, water rights, rights of way, or easements, as aforesaid, otherwise than by purchase or agreement with the owner or owners thereof, shall apply by petition to the Rutland county court, or to the assistant judges of said county court for an assessment and award of damages of such proposed entry or taking, which said petition, with a notice of the time and place of hearing thereon by said court or judges, shall be served upon the owner or owners of said lands, springs, waters, water rights, rights of way or easements, by copy, at least six days before the time set for hearing. And the said court or judges shall appoint three disinterested commissioners to view the premises, to decide upon the necessity and propriety of taking said lands, springs, waters, water rights, rights of way, or easements, and assess the damages, who shall give notice to the parties of the time when they will make their investigation, and the time and place when and where they will hear the parties ; and on report of said commissioners, the court or judges shall take such action as they may deem proper ; and if the tribunal applied to is the said court, judgment shall be rendered on the report, and execution shall be issued in the usual way for any damages or costs that may be awarded by the court. But if application is made to the assistant judges of the county court as aforesaid, their approval of and decision upon the report

of the commissioners shall be made to Rutland county court, which shall have the same powers as when the commissioners were appointed by the judges."

Fifth. By inserting after section eight, the following :

"SECTION 9. This act shall be subject to amendment, alteration or repeal by future legislatures, as the public good shall require.

"SECTION 10. This act shall take effect from its passage."

Which proposals of amendment were agreed to.

And the bill was passed in concurrence with proposals of amendment.

Mr. Stranahan from the committee on banks reported a bill entitled,

S. 154. An act in amendment of act 103 of the laws of 1886, in relation to deposits on call by savings institutions and trust companies,

Which was read the first and second times, and, under a suspension of the rules, read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Johnson from the joint special committee on temperance legislation,

H. 420. An act in amendment of section 3800 of the Revised Laws, relating to the traffic in intoxicating liquors.

By Mr. Fisk of Lamoille from the same committee,

H. 230. An act in amendment of and in addition to chapter 169 of the Revised Laws, entitled "the traffic in intoxicating liquors."

And the same were severally ordered to be read the third time to-morrow.

Mr. Fisk of Lamoille from the special joint committee on temperance legislation to which was referred a house bill entitled,

H. 226. An act to make the instruction of temperance in our common schools more effective,

Reported adversely to the passage of the bill in concurrence.

And on motion of Mr. Bates the same was ordered to lie.

Mr. Smith from the committee on finance reported a bill entitled,

S. 155. An act relating to the pay of the night watchman and of the clerk in the sergeant-at-arms' office,

Which was read the first and second times, and, under a suspension of the rules, read the third time and passed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to return to the possession of the senate agreeably to their request, house bills of the following titles :

H. 326. An act to amend an act to incorporate Northfield house aqueduct company.

H. 365. An act amending section 820 of the Revised Laws, relating to justices of the peace.

Mr. Bunker from the committee on temperance legislation to which was referred a house bill entitled,

H. 217. An act in addition to chapter 169 of the Revised Laws of Vermont, relating to the suppression of common nuisances by courts of equity,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

A house bill entitled,

H. 365. An act amending section 820 of the Revised Laws of Vermont, relating to justices of the peace,

Was taken up having been returned from the house agreeably to the request of the senate.

Mr. Johnson moved that the vote passing the bill in concurrence be reconsidered.

And the same was agreed to.

On motion of Mr. Johnson the bill was ordered to lie.

Bills of the following titles were severally taken up and ordered to be read the third to-morrow :

S. 150. An act relating to sections 1895 and 1906 of the Revised Laws, relating to homesteads.

S. 151. An act in regard to the salaries of judges of probate.

S. 152. An act in regard to fees, blanks and record books in probate and insolvency courts.

Mr. King from the committee on banks to which was referred a house bill entitled,

H. 257. An act relating to loan and investment companies and enlarging the powers of the inspector of finance,

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was ordered to be read the third time tomorrow.

Mr. Briggs from the committee on claims to which was referred a house bill entitled,

H. 156. An act to pay Mary A. Cutler the sum therein named,

Reported the same back to the senate without an expression of opinion.

Thereupon the bill was ordered to be read the third time, read the third time and passed in concurrence. Yeas 16; nays 13.

Mr. Bates having demanded the yeas and nays, they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Chamberlin,  
Fisk, of Grand Isle,  
Fisk of Lamolille,  
Hammond,  
Holmes,  
Johnson,

Jones,  
King,  
Mansur,  
Parker,  
Perkins,

Ripley,  
Smith,  
Stevens,  
Stranahan,  
Terrill.—16.

Those senators who voted in the negative are Messrs.

Adams,  
Bates,  
Bell,  
Briggs,  
Bunker,

Butterfield,  
Cramton,  
Frary,  
Giddings,

Higbee,  
Matteson,  
Peake,  
Taft.—13.

So the bill was passed in concurrence.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 418. An act for binding and preserving certain property of the Vermont historical society.

H. 473. An act relating to the state board of agriculture.

H. 474. An act providing for the assessment of a state tax.

H. 475. An act making provision for the support of government.

H. 478. An act to prevent the sale of intoxicating liquor.

H. 479. An act to incorporate the young men's christian association of Middlebury, Vt.

In the passage of which the concurrence of the senate is requested.

A bill entitled,

S. 71. An act for the relief of the West Fairlee savings bank,

Was taken up having been returned from the house with proposal of amendment as follows: By striking out in line three and lines nine and ten the words "August 10th, 1883," and inserting in lieu thereof the words *August 27th, 1885*, and by adding to section one the words *amount to the sum of one hundrd and seventy-one and eighty-three one hundredths dollars.*

And the proposals of amendment were concurred in.

House bills of the following titles werse severally read the first and second times and referred as follows:

H. 418. An act for binding and preserving certain property of the Vermont historical society.

To the joint committee on state and court expenses.

H. 473. An act relating to the state board of agriculture.

To the committee on agriculture.

H. 474. An act providing for the assessment of a state tax.

H. 475. An act making provision for the support of government.

To the committee on finance.

H. 478. An act to prevent the sale of intoxicating liquor.

To the special joint committee on temperance legislation.

H. 479. An act to incorporate the young men's christian association of Middlebury, Vermont.

To the general committee.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

By Mr. Perkins from the committee on education,

H. 480. An act in amendment of an act to establish the Rutland graded school.

By Mr. Parker from the joint committee on state and court expenses,

H. 418. An act for binding and preserving certain property of the Vermont historical society.



And the same were severally ordered to be read the third time, read the third time and passed in concurrence.

A house bill entitled,

H. 326. An act to amend an act to incorporate the Northfield house aqueduct company,

Was taken up, having been returned from the house agreeably to the request of the senate.

Mr. Taft moved that the vote passing the bill in concurrence be reconsidered, and the same was agreed to.

The question being, shall the bill be passed in concurrence? Mr. Taft moved that the senate propose to the house to amend the bill by striking out section one and inserting in lieu thereof the following:

SECTION 1. Section one of number 144 of the acts of 1882 is amended by inserting the word *twenty* after the word "exceeding" in the fourth line thereof.

Which proposal of amendment was agreed to and the bill was passed in concurrence with proposal of amendment.

Mr. Taft from the general committee to which was referred a house bill entitled,

H. 114. An act to incorporate the Chestnut hill reservoir company,

Reported in favor of the passage of the bill in concurrence with proposal of amendment, by adding at the end of section two these words: *Provided that whenever any disagreement arises as to the charges for water rents by said company, the trustees of the village or the selectmen of the town or fifteen of the tax-payers who are patrons of said company and residents of the village or town, may, by a petition, apply to the county court within and for the county of Windham, which shall appoint three commissioners who shall hear the parties and report to said court such water rents as to such commissioners shall seem just, which report, unless good cause is shown to the contrary, said court shall accept and give judgment thereon, establishing the water rents and shall equitably adjust the costs of the proceedings, including commissioners' fees and the water rents thus established shall be the rents to be charged by said company for the five years thereafter and until further petition is made.*

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

At five o'clock and twenty minutes in the afternoon, on motion of Mr. Perkins the senate went into executive session.

## EXECUTIVE SESSION.

The president laid before the senate a communication from His Excellency, the Governor, as follows :

## STATE OF VERMONT,

EXECUTIVE DEPARTMENT, }  
MONTPELIER, November 24, 1888. }

*To the President of the Senate :*

SIR :—I have the honor to state that I have appointed, subject to the advice and consent of the senate,

George W. Perry of Rutland,

as state geologist and curator of the state cabinet for the term of two years, and until his successor is appointed.

WILLIAM P. DILLINGHAM,

*Governor.*

Thereupon, under a suspension of the rules, George W. Perry, as nominated by the Governor, was confirmed by the senate as state geologist and curator of the state cabinet for the time specified.

The president laid before the senate a further communication from His Excellency, the Governor, as follows :

## STATE OF VERMONT,

EXECUTIVE DEPARTMENT, }  
MONTPELIER, November 24, 1888. }

*To the President of the Senate :*

SIR :—I have the honor to state that I have appointed, subject to the advice and consent of the senate,

James H. Hamilton of Richford,

as a member of the state board of health for the term of six years from and after the first day of December next.

WILLIAM P. DILLINGHAM,

*Governor.*

Thereupon, under a suspension of rules, the senate confirmed the nomination of James H. Hamilton, to be a member of the state board of health for the term of six years.

The president laid before the senate a further communication from His Excellency, the Governor, as follows :

## STATE OF VERMONT,

EXECUTIVE DEPARTMENT, }  
MONTPELIER, November 24, 1888. }

*To the President of the Senate:*

SIR :—I have the honor to state that I have appointed, subject to the advice and consent of the senate,

James L. Martin of Brattleboro,  
commissioner of state taxes for the term of two years and until his successor is appointed.

WILLIAM P. DILLINGHAM,

*Governor.*

Thereupon, under a suspension of rules, James L. Martin, as nominated by the Governor, was confirmed by the senate to be commissioner of state taxes.

On motion of Mr. Frary the executive session was dissolved and the doors of the senate were opened.

Mr. Bates moved that the senate do now adjourn and the same was agreed to.

TUESDAY, NOVEMBER 27, 1888.

Devotional exercises were conducted by the chaplain.

House bills of the following titles were severally read the third time and passed in concurrence :

H. 230. An act in amendment of and in addition to chapter 169 of the Revised Laws, entitled, "the traffic in intoxicating liquor."

H. 257. An act relating to loan and investment companies and enlarging the powers of the inspector of finance.

H. 420. An act in amendment of section 3800 of the Revised Laws, relating to the traffic in intoxicating liquor.

A bill entitled,

S. 151. An act in regard to the salaries of judges of probate,  
Was read the third time.

Mr. Taft moved that the bill be committed to a senator to amend by striking out the word "ten" in lines nine, twenty-one and twenty-two where it occurs and inserting in lieu thereof the word *eleven*.

Which was disagreed to, whereupon the bill was passed.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 36. An act in amendment of number 77 of the acts of 1886, relating to the use of set-lines in Lake Champlain.

H. 53. An act in addition to sections 1567 and 1568 of the Revised Laws.

H. 139. An act to regulate the sale of commercial fertilizers.

H. 153. An act in amendment of section 3872 of the Revised Laws, in relation to the protection of fish.

H. 251. An act to incorporate the Randolph savings bank.

H. 312. An act to pay W. W. Warren the sum therein named.

H. 391. An act to prevent accident and loss of life on railroads.

H. 457. An act in amendment of the charter of the city of Burlington.

H. 484. An act to legalize the grand lists of the town of Plymouth for the years 1887 and 1888 including the quadrennial appraisal for the year 1886.

H. 485. An act to legalize the quadrennial appraisal of real estate in the town of Granville for the year 1886 and the grand lists of said town for the years 1887 and 1888.

H. 274. An act in addition to chapter two hundred two of the Revised Laws, in relation to Sunday trains.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 46. An act in amendment of section 3812 of the Revised Laws, relating to intoxication.

S. 147. An act for the better enforcement for the game and fish laws.

S. 149. An act in amendment of and in addition to act No. 152 of the acts of 1886, entitled, an act to enlarge the powers and to amend the articles of association of the young men's christian association of Burlington, Vermont.

And have passed the same in concurrence.

Also senate bill entitled,

S. 144. An act relating to the traffic in intoxicating liquor.

And have passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the senate is requested.

Also senate bill entitled,

S. 109. An relating to stenographic court reporters.

And have refused the same a third reading.

The house have considered joint resolutions from the senate as follows :

Joint resolution requiring the state superintendent of education to procure certain statistics.

Joint resolution providing for mileage of certain officers of the general assembly.

And have passed the same in concurrence.

The house have on their part adopted a joint resolution relating to pay of certain state employes.

In the adoption of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bills of the following titles :

H. 186. An act in aid of the University of Vermont and State Agricultural College and Middlebury College.

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

H. 338. An act relating to the duties of county clerks.

H. 414. An act to prohibit discrimination in life or endowment insurance policies.

H. 432. An act to amend an act to incorporate the standard light and power manufacturing company.

And have concurred therein.

Also to house bill entitled,

H. 441. An act relating to public instruction, being a revision of existing school laws with additional provisions.

And have concurred in the second, third, fourth, fifth, eighth, ninth, and tenth, thereof, and have refused to concur in the first, sixth, and seventh.

I am directed to request the senate to return to the possession of the house senate bill entitled,

S. 47. An act to repeal sections 2363 and 2364 of the Revised Laws, relating to divorce proceedings.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 66. An act to authorize the towns of Morristown, Stowe and Waterbury to aid in the construction of the Mount Mansfield railroad.

H. 104. An act to amend section 462 of Revised Laws, extending the time of the normal schools.

H. 105. An act in addition to chapter one hundred four of Revised Laws, and relating to the custody of wills.

H. 135. An act to incorporate the village of Wells River.

H. 146. An act relating to inebriates.

H. 162. An act to amend the charter of the village of Middlebury.

H. 165. An act to amend section 4050, chapter one hundred eighty-two, Revised Laws, relating to dogs, and in addition thereto.

H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age.

H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines.

H. 173. An act to amend section 2693, Revised Laws, and simplify the collection of taxes.

H. 227. An act to enable the town of Plymouth to issue its bonds for the purpose of funding its indebtedness.

H. 228. An act to incorporate the Sunderland and East Arlington congregational society.

H. 234. An act extending the provisions of number 232 of the acts of 1884, relating to the Lake View retreat.

H. 249. An act to exempt the memorial hall association of North Calais in the town of Calais, from taxation.

H. 258. An act to incorporate the Theta Chi fraternity of the Norwich University.

H. 272. An act relating to process.

H. 278. An act to enlarge the powers of the Consolidated railroad company of Vermont.

H. 285. An act relating to foreign insurance companies doing business in this state.

H. 286. An act to legalize the quadrennial appraisal and grand lists of the town of Westmore for the years 1886, 1887 and 1888.

H. 287. An act in addition to chapter one hundred eight of the Revised Laws, relating to commissioners and allowance of claims.

H. 291. An act to legalize the grand lists for the years 1887 and 1888 and the quadrennial appraisal of real estate for the year 1886 of the town of Newark.

H. 296. An act to incorporate the Barre aqueduct company.

H. 309. An act to protect black bass in Franklin pond.

H. 314. An act to incorporate the West Derby Free Baptist church of West Derby, Vermont.

H. 328. An act to legalize the grand lists of the town of Wolcott for the years 1886 and 1887.

H. 335. An act to grant to and restore certain rights to fire district number one of the town of Poultney.

H. 348. An act for the appointment on the Governor's and brigade commander's staffs of inspectors of rifle practice.

H. 350. An act granting a ferry and wharf to Samuel B. Rice.

H. 355. An act to legalize the grand lists of the town of Starksboro for the years 1886, 1887 and 1888, including the quadrennial appraisal of 1886.

H. 380. An act relating to the grammar school lands in the town of Calais.

H. 396. An act relating to the duties of justices of the peace in criminal causes.

H. 416. An act authorizing the repair of steps and walks in the state grounds.

H. 419. An act requiring the appointment of assistant town clerks to be certified and returned to the county clerk.

H. 424. An act to amend the charter of the Trout river railroad company.

H. 425. An act relating to the collection of fines and costs.

H. 426. An act in addition to section 2023 of the Revised Laws, relating to the bonds required to be given by the judges of probate to the state of Vermont.

H. 445. An act relating to the returns of justices of the peace and municipal judges.

H. 446. An act to revive and extend act number 179 of the acts of 1882.

H. 447. An act to amend section 2009, chapter one hundred two, of the Revised Laws, relating to the maturity of contracts.

A bill entitled,

S. 150. An act relating to sections 1895 and 1906 of the Revised Laws, relating to homesteads.

Was read the third time and passed. Yeas 18; nays 9.

Mr. Bates having demanded the yeas and nays they were taken and are as follows:

Those senators who voted in the affirmative are Messrs.

Bell,  
Briggs,  
Butterfield,  
Cramton,  
Fisk of Grand Isle,  
Fisk, of Lamolile,

Giddings,  
Higbee,  
Holmes,  
Johnson,  
Jones,  
Mansur,

Parker,  
Perkins,  
Stmonds,  
Smith,  
Stevens,  
Taft.—18.

Those senators who voted in the negative are Messrs.

Adams,  
Bates,  
Bunker,

Chamberlin,  
Frary,  
King,

Peake,  
Ripley,  
Terrill.—9.

So the bill was passed.



A bill entitled,

S. 152. An act in regard to fees blanks and record books in probate and insolvency courts,

Was read the third time.

Mr. Taft moved that the bill be committed to a senator to amend as follows :

First. By striking out all of section two and inserting in lieu thereof a new section.

SECTION 2. *Hereafter no state fees shall be paid for settling a guardian account when it appears on such settlement that the fund is less than one thousand dollars.*

Second. By inserting in section four, line five after the word "judge" the words *except for statements of accounts.*

Third. By adding a new section as follows :

SECTION 11. *The first section of this act shall not be construed to apply to cases pending in court when the same shall go into effect.*

Thereupon the first and third proposals of amendment were agreed, to and the second proposal of amendment was disagreed to and the bill was committed to the senator from Chittenden to amend who reported the same back, amended agreeably to the instructions of the senate.

Whereupon the bill was passed.

A house bill entitled,

H. 127. An act relating to highways and bridges,

Was taken up as a special order, whereupon the bill was refused a third reading. Yeas 12; nays 17.

Mr. Parker having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Briggs,  
Bell,  
Chamberlin,

Fisk of Lamoille,  
Giddings,  
Higbee,  
Johnson,

Jones,  
Mansur,  
Parker,  
Smith,—12.

Those senators who voted in the negative are Messrs.

Adams  
Bunker,  
Butterfield,  
Cramton,  
Fisk of Grand Isle,  
Frary,

Hammond,  
Holmes,  
King,  
Matteson,  
Peake,  
Perkins,

Ripley,  
Stevens,  
Stranahan,  
Taft,  
Terrill,—17.

So the bill was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 23. An act to restore Jesse H. Myers to citizenship.

H. 375. An act to amend section two of number one hundred one of the acts of 1882.

H. 472. An act to amend number 41 of the public acts of 1886.

H. 482. An act to amend section 14, act number twenty-three of the laws of 1886, relating to the reports of railroad commissioners.

H. 483. An act in amendment of section 3799 of the Revised Laws.

H. 487. An act empowering the graded school district number 2 in Brattleboro to change the time of holding its annual meeting.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 126. An act to amend section 1128, Revised Laws, relating to trustee process.

S. 142. An act to amend sections 1860 and 1861 of the Revised Laws, relating to proceedings in insolvency.

And have refused the same a third reading.

Also senate bills of the following titles :

S. 36. An act providing for the formation of co-operative savings and loan associations.

S. 108. An act in amendment of and in addition to section 2108 of the Revised Laws, relating to allowance to the widow and family of the deceased.

S. 111. An act relating to justice in the county court.

S. 122. An act in relation to causes in supreme court.

S. 145. An act to provide for certain additions and improvements at the state prison at Windsor.

S. 146. An act in amendment of section twenty-seven of number forty-one of the acts of 1884 relating to savings banks and trust companies.

S. 154. An act relating to the payment of the salaries provided by law to the secretary of the senate and clerk of the house.

And have passed the same in concurrence.

The house have on their part adopted a joint resolution relating to payment of costs to G. W. Woodworth.

In the adoption of which the concurrence of the senate is requested.

A bill entitled,

S. 47. An act to repeal sections 2363 and 2364 of the Revised Laws, relating to divorce proceedings,

Was taken up, and on motion of Mr. Fisk of Lamoille ordered returned to the house agreeably to their request.

A house bill entitled,

H. 441. An act relating to public instruction, being a revision of existing school laws, with additional provisions,

Was taken up, having been returned from the house with a notice of the refusal on the part of the house to concur in the third proposal of amendment offered by the senate.

Whereupon Mr. Fisk of Lamoille moved that the senate insist on its proposal of amendment and ask for a committee of conference on the disagreeing votes of the two houses on the amendment in which the house refused to concur.

And the same was agreed to.

The president appointed as such committee on the part of the senate,

Senator Bunker of Caledonia,  
Fisk of Lamoille,  
Perkins of Windsor.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives,* That the pay of second assistant librarian, clerk in the treasurer's office and messengers employed at the state house during the whole term of the present legislature shall be two and fifty one hundredths dollars per day.

Was read and adopted in concurrence.

Bills of the following titles were severally reported by Mr. Taft from the general committee to which they had been referred, in favor of their passage :

S. 15. An act in relation to the enlargement of the limits of burying grounds of cemetery associations.

S. 60. An act in addition to chapter one hundred forty-seven of the Revised Laws, entitled "burial grounds."

Thereupon the bills were severally ordered to be read the third time, read the third time and passed.

Mr. Taft from the general committee reported a bill entitled,

S. 156. An act authorizing the village of Rutland to better provide for lighting its streets and public buildings and to borrow money therefor.

Which was read the first and second times, and under a suspension of rules, read the third time and passed.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 23. An act to restore Jessie H. Myers to citizenship.

To the general committee.

H. 53. An act in addition to sections 1567 and 1568 of the Revised Laws.

H. 457. An act in amendment of the charter of the city of Burlington.

H. 472. An act to amend number forty-one of the public acts of 1886.

To the committee on the judiciary.

H. 139. An act to regulate the sale of commercial fertilizers.

To the committee on agriculture.

H. 153. An act in amendment of section 3872 of the Revised Laws, in relation to the protection of fish.

H. 36. An act in amendment of number seventy-seven of the acts of 1886, relating to the use of set-lines in Lake Champlain.

To the committee on game and fisheries.

H. 251. An act to incorporate the Randolph savings bank.

To the committee on banks.

H. 274. An act in addition to chapter two hundred and two of the Revised Laws, in relation to Sunday trains.

H. 391. An act to prevent accidents and loss of life on railroads.

H. 482. An act to amend section fourteen, act number twenty-three of the Laws of 1886, relating to the reports of railroad commissioners.

To the committee on railroads.

H. 312. An act to pay W. W. Warren the sum therein named.  
To the committee on claims.

H. 375. An act to amend section two of number 101 of the acts of 1882.

To the joint committee on state and court expenses.

H. 483. An act in amendment of section 3799 of the Revised Laws.

To the special joint committee on temperance legislation.

H. 484. An act to legalize the grand lists of the town of Plymouth for the years 1887 and 1888, including the quadrennial appraisal of the year 1886.

H. 485. An act to legalize the quadrennial appraisal of real estate in the town of Granville for the year 1886, and the grand lists of said town for the years 1887 and 1888.

To the committee on the grand list.

H. 487. An act empowering the graded school district number two in Brattleboro to change the time of holding the annual meeting.

To the committee on education.

A message was received from His Excellency, the Governor by Mr. Howland, secretary of civil and military affairs, as follows:

MR. PRESIDENT.

I am directed by the Governor to inform the senate that on the 26th day of November he approved and signed bills originating in the senate of the following titles, to wit:

S. 37. An act relating to the support of the insane poor.

S. 82. An act relating to gas and electric light companies.

S. 99. An act providing for repairing the court house in Caledonia county and laying a tax on said county.

S. 118. An act in amendment of section 4538 of the Revised Laws, relating to fees and duties of town clerks.

S. 143. An act changing the name of Ernest Archer Sanborn.

That he has this day signed and approved a joint resolution providing for mileage of certain officers of the general assembly.

On motion of Mr. Frary, the senate adjourned.

## AFTERNOON.

A message was received from the house of representatives by Mr. Powers their assistant clerk, as follows :

MR. PRESIDENT.

I am directed to inform the senate that the house have passed bills of the following titles :

H. 455. An act relating to heating passenger cars.

H. 471. An act to amend act number eighty of the session laws of 1886, and section 3904 of the Revised Laws, relating to destruction of noxious animals.

H. 488. An act to pardon Horace R. Plumley.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bill entitled,

S. 84. An act to repeal number sixteen of the public acts of 1886, relating to highways and bridges.

And have refused the same a third reading.

Also senate bill entitled,

S. 47. An act to repeal sections 2363 and 2364 of the Revised Laws, relating to divorce proceedings.

And have refused its passage in concurrence.

The house have acceded to the request of the senate for a committee of conference on the disagreeing votes of the two houses on senate proposals of amendment to house bill entitled,

H. 441. An act relating to public instruction, being a revision of existing school laws, with additional provisions.

And have appointed as such committee on the part of the house,

Mr. Prouty of Newport,  
Holton of Brattleboro,  
Boyden of Randolph.

I am directed to request the senate to return to the possession of the house senate bill entitled,

S. 146. An act in amendment of section twenty-seven of num-

ber forty-one of the acts of 1884, relating to savings banks and trust companies.

Mr. Frary from the committee on elections to which was referred a house bill entitled,

H. 427. An act to prevent betting on the result of elections,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

A bill entitled,

S. 101. An act to protect the dairy interests of Vermont,

Was taken up.

Mr. Parker moved that the bill be committed to a senator to amend by adding a new section as follows:

SECTION 3. *This act shall not be construed to prevent the use of butter color in the manufacture of butter or cheese.*

Which was agreed to, and the bill was committed to the senator from Windsor to amend, who reported the same back amended agreeably to the instructions of the senate.

Mr. Bates moved that the bill be committed to a senator to further amend by inserting after the word "manufacture" line one, section two, the words, *or knowingly*.

Which was agreed to, and the bill was committed to the senator from Caledonia to amend, who reported the same back amended agreeably to the instructions of the senate.

Whereupon the passage of the bill was refused.

A bill entitled,

S. 140. An act to amend section four of act number sixteen of the session laws of 1886, relating to highways and bridges,

Was taken up and passed.

Mr. Frary from the committee on finance to which was referred a joint resolution relating to the pay of janitor, sweepers and assistant engineer,

Reported recommending that the same be amended so as to read two dollars and fifty cents instead of three dollars per day.

Which proposal of amendment was agreed and the resolution was adopted on the part of the senate.

A bill entitled,

S. 146. An act in amendment of section twenty-seven of number forty-one of the acts of 1884, relating to savings banks and trust companies,

Was taken up and ordered returned to the house agreeably to their request.

Mr. Hammond from the committee on the grand list to which was referred a bill entitled,

S. 120. An act amending act number nine of the session laws of 1882, and act number six of the acts of 1886, relating to collection of taxes,

Reported in favor of the passage of the same, and the bill was ordered to be read the third time, read the third time and passed.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Taft from a special committee consisting of the senators from Chittenden county,

H. 191. An act in addition to an act providing for the construction of a jail-keepers dwelling and a barn in the county of Chittenden, approved November 22d, 1886, and for other purposes.

From the committee on agriculture by Mr. Chamberlin,

H. 345. An act to protect the public health and to prevent adulteration of dairy products and fraud in the sale thereof.

H. 473. An act relating to the state board of health.

H. 139. An act to regulate the sale of commercial fertilizers.

By Mr. Higbee,

H. 462. An act to amend section 4211 and section 4212 of the Revised Laws.

H. 468. An act in amendment of section 4019 of the Revised Laws, relating to the preservation of domestic animals.

H. 460. An act to amend section three thousand two hundred and seventy-six of the Revised Laws.

From the general committee by Mr. Taft,

H. 406. An act to amend sections 165 and 168, Revised Laws, relating to the state geologist and curator of the cabinet.

H. 308. An act in amendment of section 3611 of the Revised Laws, relating to insurance companies.

By Mr. Cramton,

H. 276. An act to authorize the establishment of societies for the prevention of cruelty to animals.

H. 481. An act to amend section four of act forty-eight of the Revised Laws of 1882, and to amend section eight, act forty-two, session laws of 1886.



By Mr. Jones,

H. 207. An act relating to the village of Fairhaven.

By Mr. Johnson,

H. 435. An act to incorporate the village of Brandon.

From the special joint committee on temperance legislation by Mr. Johnson,

H. 478. An act to prevent the sale of intoxicating liquor.

From the committee on finance by Mr. Perkins,

H. 474. An act providing for the assessment of a state tax.

H. 475. An act making provisions for support of Government.

From the committee on railroads by Mr. Hammond,

H. 364. An act to prevent unjust discrimination by railroad companies.

H. 469. An act relating to railroad crossings.

From the committee on claims by Mr. Briggs,

H. 292. An act to pay Joseph Ainsworth the sum therein named.

H. 312. An act to pay W. W. Warren the sum therein named.

From the committee on the judiciary by Mr. Briggs,

H. 457. An act in amendment of the charter of the city of Burlington.

By Mr. Johnson,

H. 472. An act to amend number forty-one of the public acts of 1886.

From the committee on the grand list by Mr. Hammond,

H. 484. An act to legalize the grand lists of the town of Plymouth for the years 1887 and 1888, including the quadrennial appraisal of the year 1886.

Whereupon the same were severally ordered to be read the third time, read the third time and passed in concurrence.

A bill entitled,

S. 144. An act relating to the traffic in intoxicating liquor,

Was taken up, having been returned from the house with proposals of amendment as follows:

*First.* By inserting after the word "state" in the fourth line of section two, the words, *also any trunk, box, hand-bag, satchel, bundle or clothing that is being conveyed, carried or worn along any road or street in this state.*

*Second.* By striking out the words "in any such conveyance" in the last line of said section, and inserting in lieu thereof the word *therein*.

*Third.* By striking out in the second and third lines of section six, the words "in any wagon, carriage, cart, sleigh, sled, in or by any other conveyance."

Thereupon the above proposals of amendment were concurred in.

A house bill entitled,

H. 14. An act in amendment of section 1983 of the Revised Laws, relating to liens,

Was taken up and the same was refused a third reading.

Mr. Frary from the committee on elections, to which was referred a bill entitled,

S. 78. An act to amend number sixty of the laws of 1884 in regard to the qualification of voters,

Reported adversely to its passage, and the same was refused a third reading.

Mr. Frary from the committee on finance to which was referred a bill entitled,

S. 88. An act construing and amending section ten of an act entitled, "An act to provide for raising six special regiments for immediate service for protecting and defending the constitution and union,"

Reported adversely to its passage, and the same was refused a third reading.

Mr. Simonds from the committee on education to which was referred a bill entitled,

S. 89. An act authorizing selectmen to alter school districts,

Reported adversely to its passage and the same was refused a third reading.

A house bill entitled,

H. 226. An act to make the instruction of temperance in our common schools more effective,

Was taken up and a third reading refused.

House bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage in concurrence :

From the general committee by Mr. Taft,

H. 349. An act in amendment of "An act to incorporate the village of Barre," approved November 24th, 1886.

By Mr. Bates,

H. 382. An act to regulate the dispensing of medicine by druggists, on the order of physicians and surgeons.

From the committee on finance by Mr. Smith,

H. 295. An act taxing telegraph companies.

By Mr. Giddings from the special joint committee on public health,

H. 324. An act relating to inquests on the dead and appointing medical examiners.

By Mr. Smith from the committee on game and fisheries.

H. 322. An act in amendment of section seven of number seventy-three of the laws of 1884.

By Mr. Matteson from the committee on highways and bridges,

H. 363. An act relating to the repairing of highways in winter.

From the committee on education by Mr. Bunker,

H. 346. An act to shorten the school hours of children between five and eight years of age.

By Mr. Fisk of Lamoille,

H. 437. An act relating to providing poor children in towns with clothing suitable for school wear.

From the committee on the grand list by Mr. Jones.

H. 183. An act to amend section 342 of the Revised Laws, relating to the duties of listers.

H. 229. An act to amend section twenty of number two of the acts of 1882 relating to the grand list.

By Mr. Hammond from the committee on railroads,

H. 47. An act compelling the Canadian Pacific railway company to keep a flagman at the railroad crossing in Richford village.

By Mr. Butterfield from the committee on the judiciary.

H. 340. An act to protect the inhabitants of the state against the destruction of life and property by dynamite or other dangerous explosives.

And the same were severally refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT :

I am directed to inform the senate that the house have consider-

ed the reports of the several conference committees on the disagreeing votes of the two houses on senate proposals of amendment to house bills of the following titles :

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof.

H. 441. An act relating to public instruction, being a revision of existing school laws, with additional provisions.

And have adopted the same on the part of the house.

Also the report of such committee on house proposals of amendment to senate bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes.

And have adopted the same in concurrence.

A house bill entitled,

H. 365. An act amending section 820 of the Revised Laws, relating to justices of the peace,

Was taken up.

Mr. Johnson moved that the senate propose to the house to amend the bill by striking out all after the word "follows" in line two, section one, and inserting in lieu thereof the following: *Each justice before entering upon his duties shall deposit with the county clerk of the county, a copy of his official oath, signed by himself, with a certificate of the magistrate administering the same that he has taken said oath; or shall return to the Governor his commission as such justice and the return of such commission shall be deemed a resignation by such justice of his office and the Governor may commission a suitable person to fill the vacancy created. If any justice wilfully neglects to make such deposit with the county clerk or to return his commission to the Governor for sixty days from the date of his commission he may be punished by a fine not exceeding one hundred dollars, and of such offences the county court shall have sole jurisdiction. The county clerk of each county shall make returns to the secretary of state of the names of all justices who qualify as aforesaid, and also to the town clerks of their respective towns. No county clerk shall certify to the election of such justice or his authority to discharge the duties of his office until such oath and certificate are received by him.*

SECTION 2. *This act shall take effect from its passage.*

Which proposals of amendment were agreed to, and the bill was passed in concurrence with proposals of amendment.

Mr. Bunker from a committee of conference submitted the following report :

*To the Honorable Senate now in Session :*

The committee of conference to which was referred the disagreeing votes of the two houses on the proposals of amendments from the senate to a house bill entitled,

H. 441. An act relating to public instruction, being a revision of existing school laws, with additional provisions, .

Respectfully report that they have considered the same, and recommend,

*First.* That the senate recede from its first proposals of amendment.

*Second.* That the house concur in the last two proposal of amendment concerning which the two houses now disagree.

C. A. BUNKER,	} Conference Committee on the part of the Senate.
H. C. FISK,	
MARSH O. PERKINS,	
C. H. PROUTY,	} Conference Committee on the part of the House.
HENRY D. HOLTON,	
N. L. BOYDEN,	

Which was read and adopted on the part of the senate.

House bills of the following titles were severally read the first and second times and referred as follows :

H. 488. An act to pardon Horace R. Plumley.

To the committee on the judiciary.

H. 455. An act relating to heating passenger cars.

To the committee on railroads.

H. 471. An act to amend act number eighty of the session laws of 1886, and section 3904 of the Revised Laws, relating to destruction of noxious animals.

To the joint committee on game and fisheries.

Mr. Butterfield from the committee on state prison to which was referred a bill entitled,

S. 129. An act to pardon Clark W. Sanders,

Reported adversely to the passage of the bill, and the same was refused a third reading.

A message was received from His Excellency, the Governor by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has

this day approved and signed bills originating in the senate of the following titles, to wit :

S. 71. An act for the relief of the West Fairlee savings bank.

S. 106. An act relating to the compensation of persons appointed by the Governor under joint resolutions of the legislature.

S. 115. An act to amend No. 64 of the laws of 1886, entitled, an act in addition to chapter 93 of the Revised Laws, relating to courts of insolvency.

S. 122. An act in relation to causes in the supreme court.

S. 141. An act providing for the care, custody and treatment of the insane poor and insane criminals of the state.

S. 145. An act to provide for certain additions and improvements at the state prison at Windsor.

S. 147. An act in relation to the better enforcement of the fish and game laws.

S. 149. An act in amendment of and in addition to act No. 152 of the acts of 1886, entitled an act to enlarge the powers and to amend the articles of association of the young men's christian association of Burlington, Vermont.

S. 154. An act relating to the payment of the salaries, provided by law, to the secretary of the senate and clerk of the house.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence :

By Mr. Fisk of Lamoille from the committee on temperance legislation,

H. 483. An act in amendment of section 3799 of the Revised Laws.

By Mr. Hammond from the committee on the grand list,

H. 485. An act to legalize the quadrennial appraisal of real estate in the town of Granville for the year 1886, and the grand lists of said town for the years 1887 and 1888.

By Mr. Hammond from the committee on railroads,

H. 274. An act in addition to chapter two hundred and two of the Revised Laws, in relation to Sunday trains.

H. 482. An act to amend section 14, act No. 23 of the laws of 1886, relating to the reports of railroad commissioners.

By Mr. Johnson from the committee on the judiciary,

H. 53. An act in addition to sections 1567 and 1568 of the Revised Laws.

By Mr. Smith from the committee on game and fisheries,

H. 153. An act in amendment of section 3872 of the Revised Laws, in relation to the protection of fish.

By Mr. Parker from the joint committee on state and court expenses,

H. 375. An act to amend section 2 of No. 101, of the acts of 1882.

By Mr. Stranahan from the committee on banks,

H. 251. An act to incorporate the Randolph savings bank.

By Mr. Perkins from the committee on education,

H. 487. An act empowering the graded school district No. 2 in Brattleboro, to change the time of holding the annual meeting.

And the same were severally ordered to be read the third time, read the third time, and passed in concurrence.

Mr. Adams offered the following joint resolution :

*Resolved by the Senate and House of Representatives,* That the two houses meet in joint assembly this evening at 8 o'clock for the election of a state superintendent of education.

Which was read and adopted on part of the senate.

Mr. Smith from the committee on game and fisheries to which was referred a house bill entitled,

H. 36. An act in amendment of number 77 of the acts of 1886, relating to the use of set-lines in Lake Champlain,

Reported in favor of the passage of the bill with proposals of amendment to the house as follows :

By striking out in line 6, section 1, the words "the last fifteen days of September and" which proposal of amendment was agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Smith from the committee on finance to which was referred a house bill entitled,

H. 295. An act taxing telegraph companies,

Reported adversely to the passage of the bill and the same was refused a third reading.

Mr. Hammond from the committee on railroads to which was referred a bill entitled,

H. 391. An act to prevent accidents and loss of life on railroads,

Reported in favor of the passage of the bill with proposal of amendment as follows :

By striking out all after the enacting clause and inserting in lieu thereof the following :

**SECTION 1.** *Every railroad company operating a railroad, or part of a railroad in this state, shall, before the first day of December, 1889, adjust, fill or block with a wooden block or wedge, the frog, switches and guard rails on its tracks, with the exception of guard rails, on bridges, so as to prevent the feet of its employes from being caught therein.*

*The work shall be done to the satisfaction of the railroad commissioners evidenced by the certificate of their clerk.*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Bates moved that the senate reconsider its vote, adopting on its part joint resolution providing for a joint assembly this evening at 8 o'clock to elect a state superintendent of education. And the same was agreed to. Yeas 20; nays 8.

Mr. Butterfield having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Briggs,  
Bunker,  
Cramton,  
Fisk of Grand Isle,  
Fisk of Lamollee,  
Frary,

Giddings,  
Hammond,  
Holmes,  
Jones,  
King,  
Mansur,  
Matteson,

Simonds,  
Smith,  
Stevens,  
Stranahan,  
Taft,  
Terrill.—20.

Those senators who voted in the negative are Messrs.

Adams,  
Bell,  
Butterfield,

Chamberlin,  
Higbee,  
Johnson,

Parker,  
Peake.—8.

So the motion to reconsider was agreed to, and on motion of Mr. Bates, ordered to lie.

Mr. Adams from the committee on education to which was referred a house bill entitled,

H. 376. An act authorizing Barre academy and its trustees to convey property, and relating to grammar school funds in Barre,

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows :

By striking out section 2, renumbering section 3, section 2, and striking from the title the words "and relating to grammar school funds in Barre."

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.



Mr. Matteson from the committee on highways and bridges to which was referred a house bill entitled,

H. 301. An act in amendment of section 3101 of the Revised Laws, relating to highway and bridges,

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows :

By inserting in section 1, line 14, after the word "tax" the words *not to exceed 20 per cent.*

Which proposal of amendment was agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

Mr. Johnson from the general committee to which was referred a house bill entitled,

H. 477. An act to incorporate the East Orange Union society,

Reported in favor of the passage of the same in concurrence with proposals of amendment as follows :

By adding to the bill the following sections, after section 3 :

SECTION 4. *The affairs of said society shall be managed by a board of not less than three or more than five trustees who shall be elected annually and shall hold their offices until others are elected, and said society may elect such other officers as may be provided for by the by-laws of said society.*

SECTION 5. *This act shall be under the control of future legislatures to annul, alter or repeal.*

Also by renumbering section 4, section 6.

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

Mr. Giddings from the committee on insane asylum to which was referred a house bill entitled, .

H. 281. An act to amend section 4 of act 48 of the Laws of 1882, and to amend section 8, act 42, session laws of 1886,

Reported in favor of the passage of the bill in concurrence with proposals of amendment as follows :

First. By striking out in section 2, lines 5 and 6, the words "or by the trustees of the asylum."

Second. By adding to section 2, the words *and such towns shall, after receipt of such notification, be liable to the asylum for the support of such person and to forfeit to the state the sum of one dollar for each day's delay in removing such person from the asylum, to be recovered in each case in an action founded upon*

*this statute; provided that the towns shall be allowed twelve days in which to comply with the law.*

Which proposals of amendment were agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence.

By Mr. Taft from the general committee,

H. 204. An act to suppress "bucket shops" and gambling in stocks, bonds, petroleum, cotton, grain and provisions.

By Mr. Fisk of Grand Isle from the committee on highways and bridges,

H. 347. An act repealing act number eighteen of the session laws of 1886, relating to turnpikes.

By Mr. Johnson from the committee on the judiciary,

H. 488. An act to pardon Horace R. Plumley.

Thereupon the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

Mr. Bates from the general committee to which was referred a house bill entitled,

H. 479. An act to incorporate the young men's christian association of Middlebury, Vermont,

Reported in favor of the passage of the bill in concurrence with proposal of amendment as follows:

By striking out the words "one director" where they occur in section 4, and substituting in lieu thereof the words *two directors*, and by adding to section 8, the words, *but shall be subject to alteration, amendment or repeal by future legislation.*

Which proposals of amendment were agreed to, and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposals of amendment.

Mr. Giddings submitted the following report:

*To the Honorable Senate:*

The committee of conference on the disagreeing votes of the two houses on senate bill entitled,

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes,

Respectfully report and recommend the following:

First. As to the fourth amendment that the words to be stricken

out should be "vote of their towns" instead of by, etc., and that "specific" in line 6 of section 3, should be stricken out and *such* inserted in lieu thereof.

Second. And as to fifth proposed amendment that it is correct as far as it goes, but section fifth should be added as follows:

SECTION 5. *This act shall take effect the first Tuesday in March, A. D. 1889.*

And when such corrections are made we recommend the passage of the bill in concurrence.

W. H. GIDDINGS,	}	Committee on part of the Senate.
GEO. BRIGGS,		
A. A. BUTTERFIELD,		

N. L. BOYDEN,	}	Committee on part of the House.
CHARLES P. MARSH,		
C. A. PROUTY,		

Which was read and adopted on the part of the senate.

Mr. Bates submitted a report as follows:

*To the Honorable Senate now in Session:*

The committee of conference to whom was referred a house bill entitled:

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof,

Upon the disagreeing votes of the senate and house in respect thereto, respectfully report that they have considered the same and recommend that the house reconsider its vote refusing to concur with the proposal of amendment by the senate and that it concur with the senate proposal of amendment.

H. C. BATES,	}	Committee on part of the Senate.
Z. M. MANSUR,		
W. E. JOHNSON,		

HENRY BALLARD,	}	Committee on part of the House.
H. F. FIELD,		
W. E. HOWARD,		

Which was read and adopted on the part of the senate.

A joint resolution from the house relating to the payment of costs to G. W. Woodworth as follows:

*Resolved by the Senate and House of Representatives of the State of Vermont:*

That the sum of ninety-four and eighty one hundredths dollars is hereby appropriated from the state treasury to be paid to G. W. Woodworth, the same being the costs incurred by him for fees of

witnesses, officers and justices in procuring the depositions used in maintaining his right to his seat in the house,

Was read.

Mr. Mansur moved that the senate propose to the house to amend the resolution by adding thereto the following words, *and a like sum is hereby appropriated to be paid to Thomas Reeves, the contestant, for the same purpose.*

And the same was agreed to. Yeas 16 ; nays 9.

Mr. Bunker having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bell,  
Butterfield,  
Chamberlin,  
Fisk of Grand Isle,  
Fisk of Lamolile,  
Giddings,

Hammond,  
Higbee,  
Johnson,  
Jones,  
Mansur,

Matteson,  
Smith,  
Stevens,  
Stranahan,  
Terrill.—16.

Those senators who voted in the negative are Messrs.

Bates,  
Bunker,  
Cramton,

Frary,  
Holmes,  
King,

Parker,  
Ripley,  
Taft.—9.

So the amendment was agreed to.

Thereupon the resolution was adopted in concurrence with proposal of amendment.

On motion of Mr. Hammond, the senate took a recess until seven o'clock and thirty minutes in the evening.

## EVENING.

Mr. Johnson moved that the senate reconsider its vote refusing a third reading to a house bill entitled,

H. 229. An act to amend section twenty of number two of the acts of 1882, relating to the grand list.

Which was disagreed to.

Mr. Taft offered a joint resolution as follows :

*Resolved by the Senate and House of Representatives, That the state treasurer be, and is hereby directed to pay to the secretary of civil and military affairs a portion of the salary due him by*

law to the amount of two hundred and fifty dollars, upon the rising of the present session of the legislature.

Which was read and adopted on the part of the senate.

Mr. Taft from the general Committee to which was referred a house bill entitled,

H. 23. An act to restore Jessie H. Myers to citizenship,

Reported in favor of the passage of the bill in concurrence.

Thereupon the bill was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have passed bills of the following titles:

H. 242. An act amending sections 3606, 3606 *a*, and repealing section 3613 of chapter 162 of the Revised Laws.

H. 490. An act to enable the town of Chester to avail itself of the legacies named in the wills of Laurin G. Whiting and Abigail B. Whiting for a library.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles:

S. 69. An act for the better preservation of horse records.

S. 72. An act relating to the proof of claims in insolvency.

S. 117. An act to amend No. 23 of the laws of 1886, entitled an act to create a board of railroad commissioners and to define and regulate its powers and duties.

S. 150. An act relating to sections 1895 and 1906 of the Revised Laws, relating to homesteads.

And have passed the same in concurrence.

Also senate bill entitled,

S. 151. An act in regard to the salaries of judges of probate.

And have refused its passage in concurrence.

Also senate bills entitled,

S. 110. An act to amend sections 4226 and 4227, Revised Laws, relating to the intimidation of workmen.

S. 148. An act in relation to barbed-wire fences.

And have refused the same a third reading.

The house have considered a joint resolution from the senate, relating to the claim of the St. Regis Indians.

And have adopted the same in concurrence.

The house have considered senate bills of the following titles :

S. 133. An act providing for the clearing of the Missisquoi river and its tributaries from obstructions, making it navigable.

S. 146. An act in amendment of section 27 of No. 41 of the acts of 1884, relating to savings banks and trust companies.

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 86. An act to repeal No. 78 of the acts of the general assembly of the state of Vermont of A. D. 1886, relating to the protection of fish.

H. 101. An act in amendment of sections 3802 and 3803 of the Revised Laws.

H. 140. An act for the protection of fish in Lake Bomoseen in the towns of Hubbardton and Castleton.

H. 159. An act to pay David Kiley the sum therein named.

H. 171. An act in addition to and in ammendment of No. 41 of the acts of 1884, relating to savings banks and trust companies.

H. 176. An act to pay J. H. Kidder the sum therein named.

H. 215. An act to prevent discrimination by telephone companies.

H. 231. An act to protect fish in Lowell Lake.

H. 248. An act to provide a revised roster of Vermont troops.

H. 284. An act authorizing the Consolidated railroad company of Vermont to take and hold the stock of the Vermont and Canada railroad company.

H. 288. An act to authorize the payment of checks, demand drafts, and savings orders in case of the death of the drawer before payment.

H. 306. An act to provide for and regulate fishing in the waters of lake St. Catherine in the towns of Wells and Poultney.

H. 329. An act enabling the town of Concord to accept a legacy and perform the trust annexed thereto.

H. 341. An act to incorporate the Vermont loan and trust company.

- H. 143. An act to pay Loomis wells the sum therein named.
- H. 351. An act amending section 3953, Revised Laws, relating to pedlars.
- H. 354. An act to protect fish in Duck pond.
- H. 368. An act to protect fish in Mink brook in the town of Concord.
- H. 386. An act relating to the village of Winooski.
- H. 398. An act to amend section 4193 of the Revised Laws, relating to burial grounds.
- H. 438. An act to pay John L. Tuttle the sum therein named.
- H. 443. An act changing the name of the Bennington knitting company.
- H. 352. An act to amend section 4305 of the Revised Laws, relating to horse racing.
- H. 453. An act in amendment of section 3386 of the Revised Laws, relating to signboards at railroad crossings.
- H. 454. An act in amendment of section six of No. 23 of the laws of 1886.
- H. 456. An act relating to grade-crossings and flagmen.
- H. 459. An act in addition to act No. 194 of the laws of 1882, entitled "An act incorporating the West Randolph graded school district."
- H. 461. An act extending the time for accepting an act to incorporate the village of Bristol, approved November 23, 1886.
- H. 463. An act to establish a permanent camp ground for the use of the militia.
- H. 464. An act enlarging the duties of certain state officers and commissioners in regard to making reports.
- H. 465. An act to pay I. S. Duber the sum therein named.
- H. 466. An act to enlarge the jurisdiction of a judge to take bail.
- H. 467. An act to amend chapter 168 of the Revised Laws of Vermont, entitled "militia."
- H. 470. An act changing the name of Cyrus A. Lyman.
- A joint resolution relating to payment of clerk of the committee on revision of bills.
- H. 30. An act providing for the appointment of a commissioner to investigate the agricultural and manufacturing interests of the state, and devise means to develop the same.

H. 63. An act for the protection of horse owners.

H. 156. An act to pay Mary A. Cutler the sum therein named.

H. 186. An act in aid of the university of Vermont and state agricultural college.

H. 317. An act to prevent the adulteration of milk and the false branding of butter and cheese.

H. 338. An act relating to the compensation of county clerks.

H. 414. An act to prohibit discrimination in life or endowment insurance policies.

H. 418. An act for binding and preserving certain property of the Vermont historical society.

H. 432. An act to amend "An act to incorporate the standard light and power manufacturing company."

H. 476. An act to legalize the grand lists of the town of Dorset for the years 1887 and 1888.

H. 480. An act in amendment of "An act to establish the Rutland graded school."

H. 393. An act to license private asylums for the private care and treatment of the insane.

Also a joint resolution relating to the pay of certain state employees.

The house have considered senate proposals of amendment to house bills of the following titles:

H. 256. An act relating to the election of moderator and other town officers.

H. 318. An act to incorporate the Brandon investment and guarantee company.

H. 326. An act to amend an act to incorporate the Northfield house aqueduct company.

H. 79. An act to incorporate the West Rutland aqueduct company.

H. 114. An act to incorporate the Chestnut hill reservoir company.

And have concurred therein.

The house have passed bills of the following titles:

H. 224. An act in amendment of section 20 of the session laws of 1882, relating to the grand list.

H. 315. An act establishing a uniform rate for mileage tickets.

H. 486. An act relating to check-lists of voters.



H. 489. An act providing for statistical information relative to the rate of property taxation.

H. 491. An act to protect black bass in Moose river.

In the passage of which the concurrence of the senate is requested.

The house have on their part adopted joint resolutions as follows:

Joint resolution relating to the purchase of a portrait of Gen. P. H. Sheridan.

Joint resolution presenting the claim of Vermont to a place in the cabinet of president-elect Harrison.

In the adoption of which the concurrence of the senate is requested.

The house have considered a joint resolution from the senate relating to the pay of janitor, sweepers and assistant engineer.

And have adopted the same in concurrence.

The house have considered senate bills of the following titles:

S. 152. An act in regard to fees, blanks and record books in probate and insolvency courts.

S. 155. An act relating to the pay of the night watchman and of the clerk of the sergeant-at-arms' office.

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 486. An act relating to check-lists of voters.

H. 490. An act to enable the town of Chester to avail itself of the legacies named in the wills of Laurin G. Whiting and Abigail B. Whiting for a library.

To the committee on the judiciary.

H. 242. An act amending sections 3606, 3606 *a*, and repealing section 3613 of chapter 162 of the Revised Laws.

To the joint committee on state and court expenses.

H. 491. An act to protect black bass in Moose river.

To the committee on game and fisheries.

H. 489. An act providing for statistical information relative to the rate of property taxation.

To the committee on manufactures.

H. 315. An act establishing a uniform rate for mileage tickets.

To the committee on railroads.

H. 224. An act relating to inquests on the dead and appointing medical examiners.

To the committee on the grand list.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have passed bills of the following titles :

H. 64. An act providing for the burial of honorably discharged soldiers and sailors.

H. 492. An act to pay Thomas B. Kennedy the sum therein named.

In the passage of which the concurrence of the senate is requested.

The house have considered senate bills of the following titles :

S. 15. An act in relation to the enlargement of the limits of burial grounds of cemetery associations.

S. 60. An act in addition to chapter 147 of the Revised Laws, entitled burial grounds.

And have passed the same in concurrence.

Also senate bills of the following titles :

S. 154. An act in amendment of No. 103 of the session laws of 1886, in relation to deposits or call by savings banks, saving institutions and trust companies.

S. 156. An act to authorize the village of Rutland to better provide for lighting its streets and public buildings and to borrow money therefor.

And have passed the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the senate is requested.

I am directed to request the senate to return to the possession of the house senate bill entitled,

S. 152. An act in relation to fees, blanks and record books in probate and insolvency courts.

A bill entitled.

S. 152. An act in relation to fees, blanks and record books in probate and insolvency courts,

Was taken up and ordered returned to the possession of the house agreeably to their request.

A bill entitled,

S. 133. An act providing for the clearing of the Missisquoi river and its tributaries from obstructions, making it navigable,

Was taken up having been returned from the house with proposals of amendment as follows :

By inserting in section one, line one, after the word "lumber," the words, *on the Missisquoi river and its tributaries.*

Also by inserting in the fourth line of said section after the word "state" the words *except that part of the Missisquoi river and its tributaries in the town of Lowell.*

Mr. Johnson moved that the further consideration of the bill and proposal of amendment be indefinitely postponed.

And the same was agreed to.

Mr. Jones moved that the senate reconsider its vote refusing a third reading to a house bill entitled,

H. 295. An act taxing telegraph companies.

And the same was disagreed to. Yeas, 13 ; nays, 14.

Mr. Brigg having demanded the yeas and nays, they were taken and are as follows :

Those senators who voted in the affirmative are Messrs.

Bates,  
Bell,  
Briggs,  
Cramton,  
Fisk of Grand Isle,

Fisk of Lamotte,  
Giddings,  
Higbee,  
Jones,  
Mansur,

Parker,  
Ripley,  
Simonds.—13.

Those senators who voted in the negative are Messrs.

Bunker,  
Butterfield,  
Camberlin,  
Frary,  
Hammond,

Holmes,  
King,  
Peake,  
Perkins,  
Smith,

Stevens,  
Stranahan,  
Taft,  
Terrill.—14.

So the senate refused to reconsider its vote.

A bill entitled,

S. 146. An act in amendment of section 27 of No. 41 of the acts of 1884, relating to savings banks and trust companies,

Was taken up, having been returned from the house with proposal of amendment as follows :

By inserting after the enacting clause the following :

*Section 27 of number 41 of the acts of 1884, relating to invest-*

*ments by savings banks and trust companies is hereby amended so as to read as follows:*

Which proposal of amendment was concurred in.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 64. An act to provide for the burial of honorably discharged soldiers and sailors.

To the committee on military affairs.

H. 492. An act to pay Thomas B. Kennedy the sum therein named.

To the committee on claims.

A joint resolution from the house as follows:

*Resolved by the Senate and House of Representatives, That the sergeant-at-arms be instructed to purchase, if in his judgment the price be reasonable, of Gen. S. M. Southard, to be placed in the state house, a framed crayon portrait of Gen. Phillip H. Sheridan from a photograph furnished by the widow of said General.*

Was read and the adoption of the same in concurrence refused.

A joint resolution from the house as follows:

*Whereas, It is now almost one hundred years since Vermont was admitted into the Union; and*

*Whereas, Also, during this time she has been honored but once and then only for a few months, by a seat among the constitutional advisers of the President of the United States; therefore be it*

*Resolved by the Senate and House of Representatives, That it is the unanimous sense of these bodies, without distinction of party, that President-elect Harrison could do no wiser or better thing than to remember Vermont when he forms his cabinet; and in view of the high character and sound sense of ex-Governor Redfield Proctor, we would most cordially recommend him to the confidence of the President-elect, and hereby request our delegation in congress to use their influence to secure for him a cabinet appointment.*

*Resolved, That the secretary of state send each of our senators and representatives in congress and the President-elect a copy of these resolutions.*

Was read and adopted in concurrence.

A bill entitled,

S. 154. An act in amendment of act No. 103 of the laws of 1886, in relation to deposits on call by savings institutions and trust companies,

Was taken up, having been returned from the house with proposal of amendment as follows :

By inserting in line three of section one after the words "November 25, 1884," the words *as amended by number 103 of the session laws of 1886.*

By amending the title so as to read "An act in amendment of No. 41 of the session laws of 1884, in relation to deposits on call by savings banks, savings institutions and trust companies.

And the proposals of amendment were concurred in.

A bill entitled,

S. 156. An act to authorize the village of Rutland to better provide for lighting its streets and public buildings and to borrow money therefor,

Was taken up, having been returned from the house with proposal of amendment as follows :

By striking out its enacting clause and inserting in lieu thereof the following :

*It is hereby enacted by the General Assembly of the State of Vermont :*

And the same was concurred in.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 490. An act to enable the town of Chester to avail itself of the legacies named in the wills of Laurin G. Whiting and Abigail B. Whiting for a library,

Reported in favor of the passage of the bill and the same was ordered to be read the third time, read the third time and passed in concurrence.

Mr. Hammond from the committee on railroads to which was referred a house bill entitled,

H. 455. An act relating to heating passenger cars,

Reported in favor of the passage of the bill with proposal of amendment to strike out all after the enacting clause and substitute in lieu thereof the following :

SECTION 1. After December 1st, 1889, no passenger, mail or baggage cars, other than on mixed trains, on any steam railroad in this state, shall be heated by any method of heating, or by any furnace or heater, unless such method, or the use of such furnace or heater shall first have been approved in writing by the board of railroad commissioners; provided that nothing in this act shall authorize the commissioners to prohibit the heating of cars by steam from the engines.

Which proposal of amendment was agreed to and the bill was ordered to be read the third time, read the third time and passed in concurrence with proposal of amendment.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted a joint resolution providing for a joint assembly.

In the adoption of which the concurrence of the senate is requested.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 217. An act in addition to chapter 169 of the Revised Laws of Vermont, relating to the suppression of common nuisances by courts of equity.

H. 230. An act in amendment of and in addition to chapter 169 of the Revised laws, entitled "the traffic in intoxicating liquors."

H. 256. An act relating to the election of moderator and other town officers.

H. 257. An act relating to loan and investment companies and enlarging the powers of the inspector of finance.

H. 318. An act to incorporate the Brandon investment and guarantee company.

H. 420. An act in amendment of section 3800 of the Revised Laws, relating to the traffic in intoxicating liquors.

H. 474. An act providing for the assessment of a state tax.

H. 308. An act in amendment of section 3611 of the Revised Laws, relating to insurance companies.

H. 347. An act repealing act No. 18 of the session laws of 1886, relating to turnpikes.

H. 153. An act in amendment of section 3872 of the Revised Laws, in relation to the protection of fish.

H. 483. An act in amendment of section 3799 of the Revised Laws, relating to intoxicating liquors.

H. 473. An act relating to the state board of agriculture.

H. 292. An act to pay Joseph Ainsworth the sum therein named.

H. 364. An act to prevent unjust discrimination by railroad companies.

H. 468. An act in amendment of section 4019 of the Revised Laws, relating to the preservation of domestic animals.

H. 484. An act to legalize the grand lists of the town of Plymouth for the years 1887 and 1888, including the quadrennial appraisal of real estate for the year 1886.

H. 312. An act to pay W. W. Warren the sum therein named.

H. 176. An act to authorize the establishment of societies for the prevention of cruelty to animals.

H. 441. An act relating to public instruction, being a revision of existing school laws with additional provisions.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives*, That the two houses meet in joint assembly in the house of representatives November 27th, 1888, at 9:30 o'clock P. M. for the purpose of electing a state superintendent of education.

Was taken up.

Mr. Fisk of Grand Isle moved that the senate go into executive session to consider the resolution.

And the same was agreed to.

The resolution was read, and, after a full and free discussion of the same, the resolution was adopted in concurrence.

Thereupon the executive session was dissolved and the doors of the senate were opened.

The hour having arrived for a meeting of the two houses in joint assembly, the senate repaired to the hall of the house.

Having returned therefrom Mr. Simonds offered the following resolution :

*Resolved*, That the hearty thanks of this body are due and are hereby tendered to Lieutenant-Governor Woodbury, president of the senate, for the very able and impartial manner in which he has presided over our deliberations, with the assurance that he will carry with him to his home our highest esteem and best wishes.

Which was read and adopted by rising vote.

Mr. Fisk of Grand Isle from the committee on the grand list to which was referred a house bill entitled,

H. 224. An act in amendment of section 20 of number two of the session laws of 1882, relating to the grand list,

Reported adversely to its passage in concurrence.

And the same was refused a third reading.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 486. An act relating to check-lists of voters,

Reported the same back to the senate without an expression of opinion.

Whereupon the bill was refused a third reading.

A message was received from His Excellency, the Governor by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles to wit :

S. 46. An act in amendment of section 3812 of the Revised Laws, relating to intoxication.

S. 108. An act in amendment of and in addition to section 2108 of the Revised Laws, relating to allowance to widows and families of the deceased.

S. 111. An act relating to practice in the county court.

S. 19. An act relating to real and personal estate held in trust by towns for the use of schools and for other purposes.

S. 144. An act relating to the traffic in intoxicating liquors.

S. 15. An act in relation to the enlargement of the limits of burying grounds of cemetery associations.

S. 60. An act in addition to chapter 147 of the Revised Laws, entitled burial grounds.

S. 69. An act for the better preservation of horse records.

S. 72. An act relating to the proof of claims in insolvency.

S. 117. An act to amend No. 23 of the laws of 1886, entitled an act to create a board of railroad commissioners and to define and regulate its powers and duties.

S. 150. An act relating to sections 1895 and 1906 of the Revised Laws, relating to homesteads.

S. 155. An act relating to the pay of the night watchman, and of the clerk in the sergeant-at-arms' office.

Also joint resolution relating to the pay of janitor, sweepers and assistant engineer.

That on the 26th day of November he approved and signed a bill originating in the senate of the following title :

S. 63. An act in amendment of section 3813 of the Revised Laws, relating to the punishment of persons found intoxicated.



House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence.

By Mr. Cramton from the committee on manufacturers,

H. 489. An act providing for statistical information relative to the rate of property taxation.

By Mr. Hammond from the committee on railroads,

H. 315. An act establishing a uniform rate for mileage tickets.

By Mr. Smith from the joint committee on game and fisheries,

H. 471. An act to amend number eighty of the session laws of 1886 and section 3904 of the Revised Laws, relating to destruction of noxious animals.

H. 491. An act to protect black bass in Moose river.

By Mr. Briggs from the committee on claims,

H. 492. An act to pay Thomas B. Kennedy the sum therein named.

And the bills were severally ordered to be read the third time, read the third time and passed in concurrence.

House bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage in concurrence:

By Mr. Mansur from the committee on military affairs,

H. 64. An act to provide for the burial of honorably discharged soldiers and sailors.

By Mr. Stranahan from the committee on banks,

H. 390. An act relating to the investments of savings banks.

And the same were severally refused a third reading.

Mr. Fisk of Grand Isle moved that the senate take a recess until 12 o'clock P. M.

And the same was agreed to.

At the expiration of the recess the president resumed the chair.

Mr. Bunker offered the following resolution:

*Resolved*, That the thanks of the senate be, and they hereby are tendered to the secretary, assistant secretary, reporter, door-keeper, assistant door-keeper and messengers of this body for the efficient manner in which they have discharged the duties of their respective positions, and that they are hereby assured that the senate fully appreciates the faithfulness with which they have discharged every duty.

Which was read and adopted.

Mr. Parker from the committee on state and court expenses, to which was referred a house bill entitled,

H. 242. An act amending sections three thousand six hundred and six, three thousand six hundred and six *h*, and repealing section three thousand six hundred and thirteen of chapter one hundred and sixty-two of the Revised Laws,

Reported in favor of its passage in concurrence.

And the same was refused a third reading.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows:

MR. PRESIDENT:

I am directed to inform the senate that the house have considered a joint resolution from the senate relating to the salary of the secretary of civil and military affairs.

And have adopted the same in concurrence.

The house have on their part adopted a joint resolution relating to postmasters.

In the the adoption of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to a joint resolution, relating to the payment of costs to G. W. Woodworth.

And have refused to concur therein.

The house have considered senate bills of the following titles:

S. 116. An act to incorporate the Ludlow savings bank and trust company.

S. 120. An act amending act 9 of the session laws of 1882, and No. 6 of the acts of 1886, relating to the collection of taxes.

S. 121. An act to incorporate the Chelsea savings bank and trust company of Chelsea.

And have refused the same a third reading.

Also senate bill entitled,

S. 45. An act defining the duties and powers of the state and local boards of health, of health officers and others.

And have passed the same in concurrence.

The house have considered senate proposals of amendment to house bills of the following titles:

H. 281. An act to amend section 4 of act 48 of the session laws of 1882, and to amend act 42, session laws of 1886.

H. 301. An act in amendment of section 3101 of the Revised Laws relating to highways and bridges.

H. 365. An act amending section 820 of the Revised Laws, relating to justices of the peace.

H. 376. An act authorizing Barre academy and its trustees to convey property and relating to grammar school funds in Barre.

H. 391. An act to prevent accidents and loss of life on railroads.

H. 477. An act to incorporate the East Orange Union society.

H. 479. An act to incorporate the young men's christian association of Middlebury, Vt.

And have concurred therein.

Also to house bill entitled,

H. 36. An act in amendment of number 77 of the acts of 1886, relating to the use of set-lines in Lake Champlain.

And have refused to concur therein.

The house have passed a bill of the following title :

H. 388. An act in amendment of and in addition to section 63, chapter five, of the Revised Laws.

In the passage of which the concurrence of the senate is requested.

The house have acceded to the request of the senate for a committee of conference on the disagreeing votes of the two houses on senate proposals of amendment to joint resolution relating to the payment of costs to G. W. Woodworth, and have appointed as such committee on the part of the house,

Mr. Howard of Fairhaven,  
Wheelock of Milton,  
Ball of Rockingham.

Mr. Bates offered the following resolution :

*Resolved*, That the heartfelt thanks of the senate are hereby extended to the Rev. J. H. Pierce for the faithful and courteous manner in which he has discharged the duties of chaplain.

Which was read and adopted.

Mr. Terrill moved that the senate insist upon its proposal of amendment to joint resolutions relating to the payment of costs to G. W. Woodworth, and ask the house for a committee of conference on the disagreeing votes of the two houses.

Which was agreed to.

The president appointed as such committee on the part of the senate,

Senator Mansur,  
Stranahan,  
Hammond.

A house bill entitled,

H. 388. An act in amendment of and in addition to section sixty-three, chapter five of the Revised Laws, relating to the qualification of voters.

Was read the first and second times and referred to the committee on the judiciary.

A house bill entitled,

H. 36. An act in amendment of number 77 of the acts of 1886, relating to the use of set-lines in Lake Champlain,

Was taken up, having been returned from the house with a refusal on their part to concur in senate proposals of amendment.

Thereupon Mr. Bates moved that the further consideration of the bill be postponed.

And the same was agreed to.

A joint resolution from the house as follows :

*Whereas*, A bill is now pending before congress introduced by the Hon. W. W. Grout, to allow the people to name their post-masters ; therefore,

*Resolved by the Senate and House of Representatives*, That we request our senators and representatives in congress to take all proper measures to secure the passage thereof.

Was read and adopted in concurrence.

Mr. Mansur submitted the following report :

*To the Honorable Senate now in Session :*

The committee of conference in the matter of the amendment proposed by the senate, to the joint resolution relating to the payment of costs to Geo. W. Woodworth, respectfully report that they have considered the same and recommend that the house adopt the amendment in concurrence.

Z. M. MANSUR,	} Committee on the part of the Senate.
F. S. STRANAHAN,	
GEO. HAMMOND,	
WALTER E. HOWARD,	} Committee on the part of the House.
J. E. WHELOCK,	
F. P. BALL,	

Which was read and adopted on the part of the senate.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have on their part adopted joint resolutions as follows :

Joint resolution relating to printing and distributing the school law.

Joint resolution relating to the gift of the Billings library building.

In the adoption of which the concurrence of the senate is requested.

The house have considered senate proposals of amendment to house bill entitled,

H. 455. An act relating to heating passenger cars.

And have concurred therein.

The house have considered the report of the committee of conference on the disagreeing votes of the two houses on senate proposal of amendment to joint resolution relating to the payment of costs to George W. Woodworth.

And have adopted the same on the part of the house.

The Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 251. An act to incorporate the Randolph savings bank.

H. 375. An act to amend section two of No. 101 of the acts of 1882.

H. 460. An act to amend section 3276 of the Revised Laws.

H. 427. An act to prevent betting on the result of elections.

H. 469. An act relating to railroad crossings.

H. 462. An act to amend sections 4211 and 4212 of the Revised Laws.

H. 191. An act in addition to an act providing for the construction of a jail-keeper's dwelling and a barn in the county of Chittenden, approved November 22, 1886, and for other purposes.

H. 475. An act making provision for the support of Government.

H. 478. An act to prevent the sale of intoxicating liquors.

H. 204. An act to suppress bucket shops and gambling in stocks, bonds, petroleum, cotton, grain and provisions.

H. 485. An act to legalize the quadrennial appraisal of real

estate in the town of Granville for the year 1886, and the grand lists of said town for the years 1887 and 1888.

H. 457. An act in amendment of the charter of the city of Burlington.

H. 274. An act in addition to chapter 202 of the Revised Laws, in relation to Sunday trains.

H. 482. An act to amend section 14 of act 23, laws of 1886, relating to the report of the railroad commissioners.

H. 406. An act to amend sections 165 and 168 of the Revised Laws, relating to the state geologist and curator of the cabinet.

H. 487. An act empowering graded school district No. 2 in Brattleboro to change the time of holding its annual meeting.

H. 472. An act to amend No 41 of the public acts of 1886.

H. 182. An act relating to the attachment of real and personal property for the purchase money thereof.

H. 53. An act in addition to sections 1567 and 1568 of the Revised Laws.

H. 114. An act to incorporate the Chestnut Hill reservoir company.

H. 326. An act to amend an act to incorporate the Northfield house aqueduct company.

H. 79. An act to incorporate the West Rutland aqueduct company.

H. 207. An act relating to the village of Fairhaven.

H. 481. An act to incorporate the Brattleboro gas light company.

H. 139. An act to regulate the sale of commercial fertilizers.

H. 435. An act to incorporate the village of Brandon.

H. 387. An act requiring the listers to procure certain statistical information for the use of the agricultural and manufacturing commission.

H. 199. An act in relation to the execution of warrants for the commitment of offenders to the state prison, the house of correction, and the reform school.

Mr. Johnson from the committee on the judiciary to which was referred a house bill entitled,

H. 388. An act in amendment of and in addition to section sixty-three, chapter five of the Revised Laws, relating to the qualification of voters,

Reported in favor of the passage of the bill, and the same was

ordered to be read the third time, read the third time and passed in concurrence.

A joint resolution from the house as follows :

*Whereas*, Frederick Billings of Woodstock, has honored his native state by erecting for her university a library building which is an object of just pride to all her citizens, and has joined thereto the further gift of the invaluable library collected by Vermont's distinguished statesman and scholar, George Perkins Marsh, upon which gifts he has expended upward of one hundred and fifty thousand dollars ; therefore be it

*Resolved by the Senate and House of Representatives*, That the state of Vermont, ever mindful of the services of her sons who have deserved well of their fellow citizens, hereby tenders to Mr. Billings public thanks for this conspicuous example of munificence wisely devoted to promoting the interests of sound learning in our beloved commonwealth.

*Resolved*, That the president of the senate and the speaker of the house of representatives cause two copies of this joint resolution to be fairly engrossed, one of which copies they shall transmit to Mr. Billings, and the other they shall deposit in the library of the university of Vermont and state agricultural college.

Was read and adopted in concurrence.

A joint resolution from the house as follows :

*Resolved by the Senate and House of Representatives*, That the secretary of the state is hereby directed to cause to be printed and bound three thousand copies of the school law, to be distributed under the direction of the superintendent of education.

Was read and adopted in concurrence.

Mr. Bates offered the following resolution :

*Resolved*, That the president of the senate appoint a committee of two senators to wait upon the Governor and inform him that the senate, upon its part, has completed the business of the session.

Which was read and adopted.

The President appointed as such committee under the foregoing resolution,

Senator Bates,  
Johnson.

Mr. Bates from the committee appointed to wait upon His Excellency the Governor, under the foregoing resolution,

Reported that they had performed the duties assigned them and that the Governor would communicate with the senate in writing, by the secretary of civil and military affairs.

A message was received from the house of representatives by Mr. Powers, their assistant clerk, as follows :

Mr. PRESIDENT :

I am directed to inform the senate that the Governor has informed the house that he has approved and signed bills originating in the house of the following titles :

H. 391. An act to prevent accidents and loss of life on railroads.

H. 301. An act in amendment of section 3101 of the Revised Laws, relating to highways and bridges.

H. 281. An act to amend section four of act 48 of the session laws of 1882, and to amend section eight, article 42, session laws of 1886.

H. 376. An act authorizing Barre academy and its trustees to convey property and relating to grammar school funds in Barre.

H. 242. An act amending sections 3606, 3606 *a*, and repealing section 3613 of chapter 162 of the Revised Laws.

H. 477. An act to incorporate the East Orange Union society of Orange.

H. 47. An act to amend act No. 80 of the session laws of 1886, and section 3904 of the Revised Laws, relating to destruction of noxious animals.

H. 489. An act providing for statistical information in relation to the rate of property taxation.

H. 479. An act to incorporate the young men's christian association of Middlebury, Vt.

H. 488. An act to pardon Horace B. Plumley,

H. 315. An act establishing a uniform rate for mileage tickets.

H. 365. An act amending section 820 of the Revised Laws, relating to justices of the peace.

H. 490. An act to enable the town of Chester to avail itself of the legacies named in the wills of Laurin G. Whiting and Abigail B. Whiting, for a library.

H. 455. An act relating to heating passenger cars.

H. 492. An act to pay Thomas B. Kennedy the sum therein named.

H. 491. An act to protect black bass in Moose river.

H. 388. An act in amendment of and in addition to section 63, chapter five, of the Revised Laws, relating to the qualifications of voters.



Also joint resolution relating to the purchase of a portrait of Gen. P. H. Sheridan.

Joint resolution relating to the payment of costs to Geo. W. Woodworth.

Joint resolution relating to printing and distributing the school law.

Mr. Bates moved that the secretary be directed to inform the house of representatives that the senate, on its part, has completed the business of the session and is ready to adjourn without day.

Which was agreed to.

A message was received from the house of representatives by Mr. Stickney, their clerk, as follows :

MR. PRESIDENT :

I am directed to inform the senate that the house have, on their part, completed the business of the session and are ready to adjourn without day.

A message was received from His Excellency, the Governor by Mr. Howland, secretary of civil and military affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the senate that he has this day approved and signed bills originating in the senate of the following titles, to wit :

S. 154. An act in amendment of No. 41 of the session laws of 1884, in relation to deposits on call by savings banks, savings institutions and trust companies.

S. 156. An act to authorize the village of Rutland to better provide for lighting its streets and public buildings and to borrow money therefor.

S. 146. An act in amendment of section 27 of No. 41 of the acts of 1884, relating to investments by savings banks and trust companies.

Also joint resolution relating to the salary of the secretary of civil and military affairs.

Joint resolution relating to a supplement to Roberts' Vermont digest, or a Vermont digest.

I am further directed by the Governor to return herewith, without his approval, with his objections thereto in writing, senate bill No. 45, entitled,

"An act defining the duties and powers of the state and local boards of health, of health officers and others."

I am further directed to inform the senate that the Governor has received the communication of the senate that they have, on their

part, finished the business of the session, and that he has no further communication to make.

A bill entitled,

S. 45. An act defining the duties and powers of the state and local boards of health, of health officers and others,

Was taken up, having been returned from the Governor without his approval, with his objections thereto as follows :

### STATE OF VERMONT,

EXECUTIVE DEPARTMENT,  
MONTPELIER, November 27th, 1888. }

*To the President of the Senate:*

I have the honor to return to the senate, where it originated, senate bill No. 45, entitled "An act defining the duties and powers of the state and local boards of health, of health officers and others," without the executive approval.

The bill comes to me at a late hour in the session, and I have time to state only one or two of the many reasons for my action.

The provisions of the bill are so many, so remarkable in character and so burdensome in operation that they should not be adopted without the careful consideration of both branches of the legislature, and I am informed that in the house of representatives the bill was read by its title only.

Another objection lies in the fact that by the provisions of section three, all of the regulations which may be promulgated by said board are declared to be legal enactments.

I am of the opinion that the legislature has not the authority to delegate such powers, and if such authority existed, I am of the opinion that it should not be exercised.

WILLIAM P. DILLINGHAM,  
*Governor.*

The question being, will the senate, on reconsideration, agree to pass the bill notwithstanding the objections of His Excellency, the Governor? it was decided in the negative. Yeas, none; nays, 23.

The yeas and nays were taken and are as follows :

No senators voted in the affirmative.

Those senators who voted in the negative are Messrs.

Adams,  
Bates,  
Briggs,  
Bunker,  
Butterfield,  
Fisk of Grand Isle,  
Fisk of Lamollee,  
Giddings,

Hammond,  
Higbee,  
Holmes,  
Johnson,  
Jones,  
King,  
Mansur,  
Matteson,

Perkins,  
Ripley,  
Smith,  
Stevens,  
Stranahan,  
Taft,  
Terrill.—23.

So the senate refused to pass the bill over the objections of the Governor.

The senate took a recess until seven o'clock and fifty minutes.

At the expiration of the recess the president resumed the chair.

Devotional exercises were conducted by the chaplain.

And at eight o'clock in the forenoon, Wednesday, November 28, 1888, the president of the senate, agreeably to a joint resolution of the two houses, declared the senate adjourned without day.

Attest,

C. W. BROWNELL, JR.

*Secretary of the Senate.*

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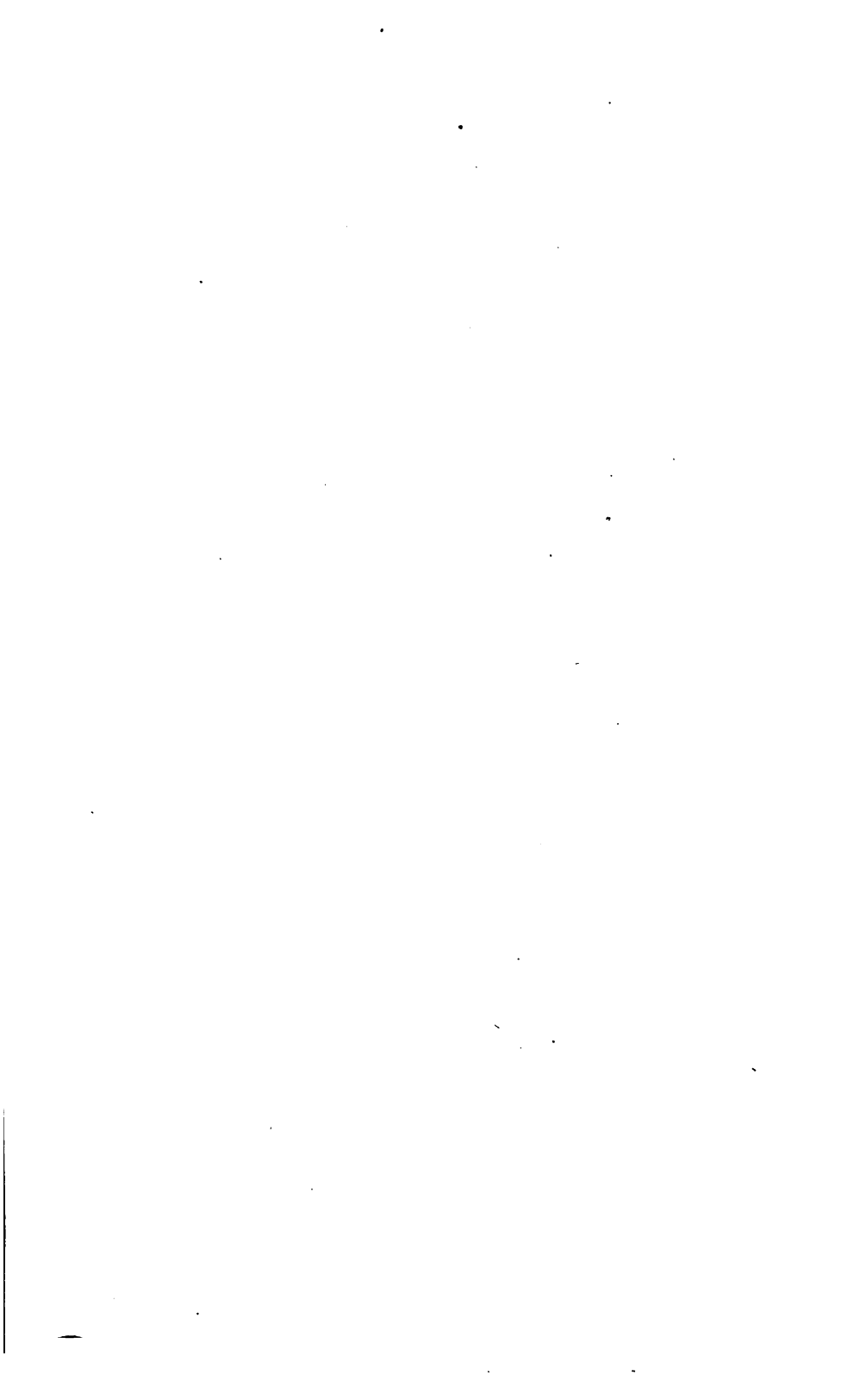
STATE OF VERMONT,

OFFICE OF THE SECRETARY OF THE SENATE, }  
MONTPELIER, November 28, 1888.

I hereby certify that the foregoing is a true record of the proceedings of the senate of Vermont for the biennial session of the legislature for the year A. D. 1888.

C. W. BROWNELL, JR.,

*Secretary of the Senate.*



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JOURNAL  
OF THE  
JOINT ASSEMBLY.

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BIENNIAL SESSION, 1888.

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# Journal of the Joint Assembly.

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IN JOINT ASSEMBLY, }  
October 4, 1888, 11 A. M. }

The senate and house of representatives met in the hall of the house of representatives, in pursuance of a joint resolution which was read by the clerk and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 4th, next, at eleven o'clock in the forenoon, to receive the message of the retiring Governor.*

His Honor, LEVI K. FULLER, president of the senate in the chair.

CHARLES W. PORTER, secretary of state, clerk.

Senator Bates of Caledonia county moved that a committee consisting of one senator and two representatives be appointed to inform His Excellency, the Governor, that this joint assembly is now convened for the purpose of receiving any communication he may be pleased to make; and that said committee be directed to conduct him here if it be his pleasure to now appear before the joint assembly.

Which motion was agreed to, and

Thereupon the chair appointed senator Bates of Caledonia county, Mr. Field of Rutland and Mr. Holton of Brattleboro as such committee.

The committee subsequently appeared within the bar of the joint assembly accompanied by His Excellency, the Governor, who submitted the following

## MESSAGE:

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

There is seemingly no occasion for apology or explanation on the part of the retiring executive for presenting a valedictory message. Whatever may be my personal views as to this being the

best or wisest course, in view of the constitutional requirement that the incoming Governor shall prepare and lay before the general assembly such business as may appear to him necessary, the practice has been so uniform for such a period of time and been looked upon, I believe, with naught but favor, and been so wisely performed by my illustrious predecessors that, in considering the subject, it has assumed the form of official duty. In performing this once questionable official act, it will be my purpose to confine myself to rendering an account of my stewardship as the servant of the state, rather than to enter to any considerable extent into the field of recommending or advising as to the work of the session beyond what may be properly denominated unfinished business, having reference to the acts and resolves of the last session; and in calling your attention to some matters of public interest or concern that have transpired during my term of office, I am pleased to say that the prospective business of this session will demand your most earnest and serious attention and consideration; questions of unusual public concern, to successfully solve which will require you to put behind you all narrow or selfish considerations, having only in mind the interest of the entire state, and looking well to the future as well as to the present.

#### STATE BENEFICIARIES.

By chapter 41 of the Revised Laws and act No. 39 of 1884, provision is made for instruction at the expense of the state of the deaf, dumb, blind and idiotic and feeble-minded children of indigent parents. The annual appropriation of \$11,000, made to carry out these provisions, has thus far proved ample to meet all demands made upon it. The entire expense of the state for the last two years has been \$13,798.94. No application to share in this humane provision has been denied where the applicant came within the law and the rules and regulations of the institutions patronized by the state. During my term of office I have visited all the institutions patronized except that for the feeble-minded children, and have seen the pupils of this state and made examination and inquiry as to their treatment, condition and progress, and as to the probability of further improvement to each pupil by longer remaining in the institution and have solved all doubts in this respect in favor of the beneficiary.

For reasons which seemed to me good and sufficient, I have directed the withdrawal of further aid in two cases, namely: Charles H. Pratt and Evelyn A. Tatreau, aged respectively 22 and 21. The first had been in the Perkins institution for the blind over ten years and the latter over eight years. The beneficiaries of the state now number twenty-eight. So far as I can judge, the pupils are kindly treated and contented, and the state well served by the various institutions. In the appendix may be found a list of all the beneficiaries with statement of further particulars in regard to them. That the state has adopted and follows a policy of thus providing for these classes of her unfortunates is much to her credit.



## SAVINGS BANKS.

Theoretically, at least, the savings banks are the depositories of widows, orphans and the wage earners; and while there is a growing belief that the original purpose and design of these institutions has been largely departed from, in so much as to make them depositories of the wealthy, at least to a considerable extent, it is doubtless the duty of the supervising power to continue to guard these institutions with the utmost care in the direction of the greatest possible safety. An examination of the report of the inspector of finance cannot fail to convince you, that the old-fashioned ways and modes of investment of funds by many if not all, of these institutions, have been departed from, and the old idea that all other questions should be made subordinate to safety, is being lost sight of in the pursuit of a high rate of interest, that large dividends may be declared. This cause, while it naturally and unavoidably invites the funds of the wealthy, hazards the savings of the poor. The suggestions of the inspector as to the present management of these institutions in this regard and the remedy by him recommended, are well worth your attention and consideration. If the present policy is to be continued, it will be in order for you to devise and apply some means whereby this immense fund shall be made to bear its fair proportion of the public burden.

## EDUCATION.

In view of the action of the last legislature bearing upon the subject of the "efficiency of the public schools of the state," having reference to its further consideration by the present legislature, there is seeming appropriateness in its being called to your attention and commented upon by the retiring executive.

I approach the consideration and presentation of this subject with a degree of solicitude bordering upon anxiety, but this has its relief to some extent, at least, in the thought that my interest cannot be greater than yours, or my solicitude more intense.

To say that it will be your duty to consider and dispose of matters and questions of vital importance to the state in reference to this matter would be to repeat what I may assume to be known by all; and it would seem to be but a similar act to assert that the common or public schools of the state, as to which in former times Vermonters were justly proud, are at the present time as a whole far from satisfactory, if not, in fact, deplorable in their lack of efficiency. This condition of things is not a late revelation or a new discovery. It has come to us through executive communications and reports of the superintendent of education in language too forcible to admit of any misunderstanding and supported by evidence as to which no question is made. And now we are told by our superintendent of education in his report, which will be before you and to which your considerate attention is earnestly requested, that in "the graded schools of the larger towns and in some of the ungraded districts and in most of the towns that have held to the

town system, there has been improvement, and intelligent and systematic instruction is given. The teachers are competent and well qualified and some of these schools are not excelled by any in the country, as I believe. But in most of the other districts, those away from places of business and back on the hills, the schools are growing poorer. These are the schools where more than half the children of the state attend and they are not improving but retrograding. If this is doubted by any the evidence is accessible. Let there be a personal examination of these schools, consider the qualifications of the teachers employed, notice the condition of the houses provided by these districts, the absence of proper outbuildings, lack of all care and sanitary arrangements, the dearth of all books of reference, charts, globes, and suitable blackboards, and I feel sure that we shall be forced to admit that the condition of many of these schools is unworthy the reputation and character of our state, and should be a constant reminder of the serious neglect of our duty to the children of the commonwealth." These sentiments and statements by the chief educational officer of the state, and former ones from the same source, and emphasized repeatedly by and through executive communications constitute a serious indictment for Vermonters to plead to, and avoidance or denial do not seem to be available; therefore, it is in order that you should make conscientious, considerate and determined effort to find and apply an effectual remedy. This condition of things was recognized at the last session of the legislature; and after much earnest though fruitless effort to find a cure for the trouble, that might be applied at once, act number 111 of 1886 was passed with substantial unanimity. By this act the Governor was "authorized and directed to appoint a committee of three competent and practical men whose duty it shall be to revise, redraft, and so far as may by said committee be deemed necessary, draw up a new bill, rejecting all or as many of the sections of the school law now in force as they may deem desirable, and substituting therefor such new sections as will best add to the efficiency and improve the public schools of the state, and report a bill to the general assembly at its next biennial session." To be responsible for the selection of this committee to be charged with the performance of the duty proposed, was indeed onerous and well calculated to impress me with the gravity and seriousness of the duty imposed. If any failure or mistake has been made in the *personnel* of the committee, it was not for want of appreciation of the magnitude and importance of the work to be committed to it, or a want of appreciation of the grave responsibility resting upon me.

In compliance with the direction given by said act No. 111, I appointed as such committee, Hon. James M. Tyler of Brattleboro, Rev. Ezra Brainard, of Middlebury and Prof. S. W. Landon of Burlington, and before but little action had been taken by the committee, Mr. Tyler resigned on account of his appointment as one of the judges of the supreme court, and I appointed to fill the vacancy, Hon. Loveland Munson of Manchester. This committee

was seasonably appointed and entered upon a performance of their duty, and have given it much time, and, I believe, their best endeavors, seriously imbued with its gravity, magnitude and importance; and have, I feel assured, had but one object in view, and that being to present, as a result of their work, such a code of school laws as will, in their judgment, most improve the public schools of the state. How well they have succeeded the result of their work must attest, under your scrutiny and judgment. The committee have completed their work and it will be before you. The act under which this committee was appointed only requires the presentation of a new bill, but at my request the committee have supplemented the bill they offer, by a report in support and explanation thereof. If it should seem to you that by presenting this supplemental report the committee have transcended their authority, it will be plainly your duty to visit the consequences upon me. It seemed to me that it was due to the cause in hand, to you and to the committee, that you should be informed of the reasons that governed their action and lead to their conclusions, with full explanation of their work; hence the request that a report accompany the bill.

Should the measures presented by the bill offered seem to you to be radical in the changes proposed, or extreme in any of its features or provisions, I beg to remind you that the trouble sought to be alleviated is also extreme, and that the disease sought to be cured involves the good name of the state, and the happiness and intelligence of the children of the commonwealth. I bespeak for this subject due appreciation of its importance, and candid and earnest thought and action. The bill submitted has, as a whole, my approval.

#### NORMAL SCHOOLS.

The present system of maintaining and supporting normal-school instruction will expire in August, 1890, if no action is had in reference thereto at the present session. In anticipation of this fact the last legislature took action in the matter and by joint resolution No. 124 directed the Governor to appoint four suitable persons, who with the state superintendent of education, should constitute a committee "to inquire into the system of normal-school instruction under the patronage of the state, and report to the Governor before the meeting of the legislature of 1888, as to the discontinuance of the present system after August, 1890, the desirability of establishing one state normal school owned and controlled by the state, and in connection therewith the practicability of normal-school instruction connected with the graded schools in each county in the state."

In compliance with said direction, I appointed as such committee, Hon. Jonathan Ross of St. Johnsbury, H. O. Wheeler, Esq. of Burlington, Hon. Albert N. Swain of Rockingham and Prof. Edward H. Dutcher of Brandon. Before the committee entered upon the performance of their duty, Mr. Swain resigned by reason

of serious illness in his family, and I appointed Prof. H. M. Willard to fill the vacancy. This committee have, I am satisfied, performed their duty with entire disinterestedness and great thoroughness, and have given to the subject an amount of time, attention and service greatly out of proportion and in excess of the provision made for compensating them. The report of this committee will be before you. It merits, and doubtless will have, your best attention and consideration. What I have elsewhere said on the subject of education has direct force and application to this matter. Should it be your pleasure to legislate in the direction of greater efficiency in the public schools, you seemingly cannot omit to make provision in some form for normal-school instruction, for reasons too evident to demand illustration or argument. This report presents a duty that cannot be postponed or ignored, and covers a field of public interest that pertains to but few subjects; and it is expected that you will perform it upon broad and unselfish grounds and principles, having in mind the conceded retrograde condition of public instruction, the important and seeming inseparable connection between the common school and normal-school instruction, if a high grade of the former is to be sought after and maintained; and also having in mind the fact that the responsibility of disposing of this matter is with you.

#### INTEMPERANCE.

In my inaugural message I took occasion to remark at some length on the subject of intemperance and to express decided views and suggest certain legislation. My views are the same now as then, and, were it within my province to advise as to the legislation on the subject, I should now repeat my former suggestion in that respect with, if possible, increased emphasis. I will only add that observation and information agree and establish in me the belief that there is scarcely a sister state where a better condition of things exists or where the public sentiment is more healthy upon this all-important question of public concern. At the same time I venture to assert without fear of denial that the illegal sale of intoxicating liquors and the use of such as a beverage, even here in our favored state, is a direct cause of more crime, trouble and sorrow, the blight of more homes and the extinguishment of more bright hopes of happiness, than all other causes combined. If I am correct in this you cannot fail to take a lively interest in the question, and by earnest and diligent endeavor give such aid in the premises as in your judgment it is possible to render by or through legislative action.

#### RAILROAD COMMISSION.

The matters and interests committed to the railroad commission are of great significance, and their importance is second to but few, if any, other subjects over which the state has to a certain extent supervision.

It is quite too early to pronounce or judge of the intrinsic value

to the state of the commission. Much was expected of it, and so far as I can judge its work has been such as to give general satisfaction. The report of the commission will be before you, and will have, I doubt not, your careful attention.

This report gives unmistakable evidence of an industrious and painstaking effort on the part of the commission to do, with great thoroughness, whatever they have conceived to be their duty under their appointment; and also like evidence that their action has at all times been impartial, independent and intelligent.

It is not my purpose to dwell at length upon this subject, yet I am moved to suggest that if the act of 1886, by which the commission was created, should be so amended as to make it more in accord with the provisions (such as are applicable to a state enactment) of the so-called inter-state commerce law of congress, including some or all of the provisions of the pending proposals of amendments thereto; and so as to give further power, authority and direction to the commission to initiate and carry out enquiries, examinations and proceedings in its discretion or otherwise, *upon its own motion*, as to matters which it may now investigate upon complaint or petition, the hands of the commission would be strengthened and its opportunities for correcting real abuses or grievances, and of demonstrating the want of actuality as to supposed or imaginary ones would be thereby greatly enlarged.

#### THE NATIONAL GUARD.

An examination of the reports of the adjutant and inspector-general, the quartermaster-general, and accompanying documents and statements, will put you in possession of all material facts bearing upon the strength, condition and needs of the militia, and to that source of information you are referred. You will find these reports exhaustive on the subject, and replete with evidence of enthusiastic interest, and admirable efficiency on the part of the officers of the command, and of a satisfactory and commendable condition of the command itself. I call your attention to the recommendations of the adjutant and inspector-general that the force be enlarged to a limited extent; the views and suggestions of this experienced and earnest servant of the state in consideration of his long, faithful and efficient service merit your considerate attention.

At the last session of the legislature provision was made—see act No. 113—for providing the guard “with the newest and most improved arms and equipments that the national government may have in use at the time of re-equipment,” and a partial appropriation was made to carry the provision into effect, providing that the balance of the expense could be met by a sale or exchange of military stores, arms or equipments then on hand and subject to be condemned. I am pleased to be able to say that through the means thus provided, and the commendable business tact and energetic effort of the quartermaster-general, the new and improved arms and equipments have been procured and are now in the hands of the

militia, and in those regards every want is supplied. I feel warranted in saying that there has not been any retrogression in the condition or efficiency of the national guard during the now expiring administration; that in character and reliability it is equal to any emergency that may demand its aid and protection; and I trust it will continue to have the liberal support and merited encouragement of the state.

The commission created by joint resolution of 1866, No. 119, for the purpose of investigating and inquiring as to the expediency of establishing permanent camping grounds has not completed its work; I am, however, assured that its report will be presented to you at an early day.

#### GETTYSBURG MONUMENT.

By act No. 215 of the session laws of 1886 provision was made and direction given for the "purchase of lands of especial interest, construction of avenues and driveways, rebuilding and and repair of earthworks, and otherwise caring for and beautifying the Gettysburg battlefield grounds by the officers of the Gettysburg battlefield memorial association," and "for the purpose of purchasing and erecting suitable monuments on or near such grounds, to commemorate and perpetuate the conspicuous valor and heroism of Vermont soldiers on that decisive battlefield of the war of the rebellion."

By the provisions of said act, this work of patriotism was committed to a commission, to consist of the Governor of this state and one member from each of the regiments and the companies of sharpshooters present and three members from the state at large, to be appointed by the Governor. The commission was duly appointed and early in the spring of 1887 it visited Gettysburg for an examination of the battlefield and the better consideration of the important matters committed to it. One of the immediate results of this visitation was to satisfy the commission that the work in hand was of greater magnitude than had been previously understood or estimated; also to give some of its members a more correct idea as to the decisive part taken in the battle by Vermont troops; furthermore to acquaint them all for the first time with the great memorial undertakings of other states upon the field, and moreover, to thoroughly impress them that the pride and honor of Vermont, and its duty to its soldier sons, living and dead, demanded thorough work at their hands—demanded that the monuments of the state there to be erected should correspond with the splendid and unsurpassed valor of her soldiers on that and other battlefields of the war and be made to reflect, in a measure at least, the patriotic pride and devotion of the Green Mountain state.

The selection of a suitable design for the principal or state monument proved to be a work of great difficulty and required much more time than had been anticipated. Moved by the above considerations on the one hand, and met by a limited and inadequate appropriation on the other, this part of the duty of the commission

was arduous and embarrassing; but, resolving that the work should go on to completion, notwithstanding these obstacles, and that when completed it should not be disappointing in any respect, or be dwarfed or belittled by its surroundings, the commission, with entire unanimity, made choice of a design, to carry out which involved an expense much beyond the appropriation and a personal obligation upon the members of the commission for any excess. Toward meeting the excess an appeal was made to individuals and a considerable sum was either paid or pledged by patriotic citizens, but not enough to carry the work to completion according to the plans. The commission, however, entered into a contract with the Carrick Brothers granite company of St. Johnsbury, the lowest bidders, for the construction and erection of the state monument, according to said design, of Dummerston granite, to be erected by September 15, 1888, for \$9,000.

Owing to delays in quarrying the stone, for which the contractors were not at fault, and which the commission was powerless to prevent or remedy, the monument is not completed and the present indications are that it will not be until late this autumn.

A report of the commission and a copy of the design of the state monument will be laid before you in due time. There are many details in this report which will interest you, and to which I invite your attention. Should it be your pleasure to provide for the full expense of the commission it will require an appropriation of about \$3,000, over and above the private contributions already paid or pledged.

By an examination of the design you will see that it would be a much more perfect whole if surmounted by a figure or a statue, and there has been a very general expression from many sources that this work might be crowned by a statue of the late Gen. George J. Stannard. This would, indeed, be a most fitting and grateful finish to this work of art and memorial of the state to her soldier sons.

The work of the commission in reference to the four other monuments which it decided to erect upon the field, is going forward. To complete the work, including the statue suggested, will require in the aggregate about \$8,000. I earnestly recommend that you take such measures as will accord with the proverbial patriotism of our people, and enable the commission to finish this work as well and completely as our soldiers did theirs.

In concluding this subject I desire to call your attention as to whether further legislation may not be necessary to make the unexpended part of the appropriation available, and also as to whether the power of the commission should not be extended or renewed.

#### THE SOLDIERS' HOME.

The soldiers' home, located at Bennington, may, I assume, be considered as a state institution, for the support and maintenance of which the good faith and patriotism of the state is unflinch-

ly pledged, so long as a "deserving soldier or sailor" remains to claim its shelter and enjoy its comforts. Assuming this, I will omit saying what I might otherwise present by way of an appeal to your patriotism, and enlarging upon and amplifying as to the obligations of the state to the surviving and needy defenders of the nation when its very existence was in deadly peril and its flag assailed and sought to be destroyed by the hand of treason. This assumption leads me unhesitatingly to another, and that is, that you will only want to know as to the needs of the home to make cheerful and prompt provisions for meeting them. For this information I point you to the report of the trustees of the home, which will be before you, and from it you can satisfy yourselves as to all facts and details pertaining to this more than commendable undertaking. To repeat them here cannot be necessary.

Among other things set forth in the report is the fact that there is no provision of law requiring the trustees to make report to the Governor or general assembly as is required by other like or similar boards. Bearing upon this subject, the trustees at a late meeting, passed the following resolution:

*Resolved*, That in the opinion of the trustees of the soldiers' home of Vermont, a bill should be proposed and introduced in the legislature of this state which shall make it the duty of the trustees to make an annual report to the Governor of the state of the moneys received and expended in support of the home, of its financial condition, and of the number of veterans received and discharged.

It seems hardly necessary to even suggest that this opinion of the trustees should be regarded and acted upon at this session, and that such further legislation be had as to this matter as the merits of the home may demand.

I trust that I may be pardoned if I say that in my judgment the trustees of this institution, more than any other of our public servants, are the custodians of the good faith and patriotism of the state, and that their hands should be strengthened and their treasury never allowed to be empty so long as one of these beneficiaries is in need of its aid.

#### MONUMENTS TO VERMONT SOLDIERS AT WINCHESTER AND CEDAR CREEK, VIRGINIA.

I desire to call your attention to joint resolution No. 126 of 1886, wherein due and merited recognition was made of the liberal and patriotic action of Col. Herbert E. Hill in erecting upon the battlefields of Opequan and Cedar Creek, Virginia, substantial monuments in memory of those who fell in the charge of the eighth regiment Vermont volunteers, September 19, 1864, and to commemorate the desperate struggle at Cedar Creek on October 19, 1864.

Col. Hill was a member of the eighth regiment and a brave participant in deeds of splendid valor commemorated by these



monuments, and although a resident of Massachusetts, he has shown an unswerving devotion to Vermont and takes great pride in the achievements of Vermont troops. He is in feeble health, and informs me by letter of September 28, 1888, in reference to the above matters, that "it gives me pleasure to present through you, as chief executive, to the state of Vermont, these monuments and the plot on which the stand, and I respectfully ask that the state accept this gift, trusting that these shafts will long remain to symbolize the valor of Vermont soldiers in the late civil war, as they historically mark the pathway of desperate fighting."

The lateness of the receipt of Col. Hill's letter makes it impossible for this matter to be presented to you in other than this hasty and imperfect, and to me, unsatisfactory manner. I solicit your due attention to this interesting subject and trust that you will give it such attention as its interesting and patriotic character demands, and give such further legislative expression of gratitude to Col. Hill as to you may seem appropriate.

#### THE CRIMINAL AND CONVICT INSANE.

In view of the fact that the state is without an asylum for the insane, and the somewhat peculiar if not anomalous relation existing between the state and the asylum at Brattleboro, its crowded condition, and the desire of the management to be relieved from receiving the convict and criminal insane of the state, and other considerations bearing upon the subject, the legislature of 1886 adopted joint resolution No. 121, by which the Governor was "requested to appoint a commission of three suitable persons to investigate as to the advisability and location of a separate building for the care of the criminal and convict insane, and all matters germane to the subject, and report to the next legislature."

In compliance with this request I appointed as such committee ex-Gov. Roswell Farnham, Henry F. Janes, M. D. and Hon. Charles P. Hogan, and their report upon the subject committed to to them will be before you for your consideration and action.

The report of this committee, taken in connection with that of the trustees of the asylum at Brattleboro and the supervisors of the insane, leaves no room to doubt that a *necessity* exists for the state to make early provision for the care and keeping of these unfortunates. Should the recommendation of the committee find such favor with you as to meet with responsive action, I suggest that you consider whether it is not practicable to provide a department under the same management where a portion of the incurables and idiotic insane may be cared for to such an extent as to relieve the asylum at Brattleboro of its over-crowded condition. It is not my purpose to comment upon the important subject of our insane in general, further than to point to the self-evident fact that the over-crowded condition of the asylum at Brattleboro should in some way have relief at your hands. A respectable regard by the state for the rights of that institution, and for the comfort and due and

proper treatment and care of the inmates, unquestionably demand and require remedial action by this legislature. The reports above referred to will be before you and should have your careful and considerate attention.

#### PENAL AND REFORMATORY INSTITUTIONS.

The reports of the directors and superintendent of the state prison, and the trustees and superintendent of the reform school will be before you; and to these you will naturally look for the purpose of ascertaining the condition and needs of these state institutions. I am not aware that there is occasion for special attention or mention as to these institutions beyond inviting your attention to the reports of their several heads, and to congratulate the state upon their wise management and generally safe and satisfactory condition.

#### PARDONS.

During my term of office I have granted three pardons, all from the house of correction; and twelve conditional discharges, six from the state prison, and six from the house of correction; a list of which may be found in the appendix, with a statement of such facts as seemed to me to be of public interest.

The applications for pardon and the exercise of executive clemency by way of granting conditional discharges have been quite numerous, and each has been carefully examined into. Should it be a matter of surprise that the pardoning power has been exercised so sparingly, my only answer would be that as a general rule of action I have been actuated by the idea that sympathy should yield and be held in subordination whenever there is a substantial risk to life or property, or whenever there is danger that the wholesome influence of punishment for crime as an example to others inclined to evil would fail to have its proper effect, and more particularly so when the subject is a confirmed or professional criminal. There is a class of cases, exceptional or otherwise, where the right to grant conditional discharges may be exercised with great good to the individual and comparative safety to the citizen. I desire to improve this opportunity to speak approvingly of this provision of the criminal law.

#### LEGISLATION BY JOINT RESOLUTION.

Several of the joint resolutions of last session were not sent to me for my signature, although in more than one such instance provision was made for compensation to individuals for services to be rendered. Such resolutions when lacking executive approval want the force of law necessary to justify the payment of money from the treasury. This subject is brought to your attention in the hope that greater caution may prevail as to this mode of legislative action. It was well remarked by one of my predecessors in commenting upon this subject, "every legislative act ought to have the safeguards of the readings and usual reference."

## EXECUTIVE APPOINTMENTS.

Full information upon this subject is contained in the Appendix.

## THE LATE JACOB COLLAMER.

By joint resolution No. 122 of the session of 1886, I was authorized to provide a suitable pedestal for the statue of the late Jacob Collamer in the national capital, for the reasons stated in the resolution. This pleasant duty has been so performed that the pride of the state will be no further hazarded or the feelings of the observer disturbed by seeming lack of attention or want of respect for the memory of the illustrious statesman.

## JUDGES OF THE SUPREME COURT.

In September, 1887, the Hon. William H. Walker resigned his position as sixth assistant judge of the supreme court and I appointed the Honorable James M. Tyler to fill the vacancy. A request was made to me from a highly respectable source that the vacancy be allowed to remain until the present session of the legislature. In view of the duty imposed by the constitution in reference to filling vacancies, it is at least questionable whether any discretion is given to the executive. I had no doubt as to the matter independent of the constitutional question. I had before me the fact that upon several occasions of recent date the state, through its general assembly, had declined to diminish the number of its judges, so that the expressed wish of the state in that regard seemed to be in accord with the constitutional provisions that "the Governor shall supply every vacancy in any office occasioned by death or otherwise until the office can be filled, etc."

## THE CLAIM BETWEEN THE STATE OF VERMONT AND THE UNITED STATES.

The adjustment of all claims between the state of Vermont and the United States was made the subject of an executive message to the general assembly at the last session, and the legislature voiced its wish in the matter by the passage of act No. 217 of 1886. The message and act referred to will furnish full information to those desiring it, and there does not seem to be any present occasion for enlarging upon this matter further than to say that no substantial progress has been made toward an adjustment. As yet no officer or person has been authorized by act of congress to act in the matter in behalf of the United States, and it has been deemed by the auditor of accounts and myself to be our plain duty to wait such action by congress before submitting the claims of the state. Although again requested to submit the claims to the auditing officer of the treasury department of the United States our interpretation of said act No. 217 was such, and our judgment in the premises such that we have declined to comply with the request. A seriousness and anxiety as to the alleged claim of the United States against the state prevailed to some extent when the presentation of it was first

known, but this was seemingly allayed by the prompt and just action of the general assembly in the passage of said act No. 217. I believe that the interest of the state demands that this matter should be adjusted, but it seems best that the matter be deferred on the part of the state until congress on its part shall have made provision for adjusting the matter upon "just and equitable principles." The correspondence and communications as to the matter will be passed over to my successor, who will doubtless call attention to the subject should he consider further legislation desirable. There is no cause for alarm or uneasiness as to this matter.

#### AGRICULTURE.

The experience and intelligence of this presence in all that pertains to this subject forbids me from assuming to give light or instruction, and it seems superfluous to say that its overshadowing importance is such that whatever its advancement or encouragement demands at your hands should be promptly accorded and provided for. This interest or subject is practically the material foundation of the state itself; and all other interests, industries and callings so largely depend upon it that its care, protection and advance should have the first place in your deliberations; and if this all-absorbing and important interest is suffering from, or is trammelled by any substantial hindrances or grievances within the reach of proper legislation to cure or remove, your line of duty cannot be doubtful, and your steps should not be measured save by a due and proper regard for the rights and protection of every other interest and industry within the state, and by an avoidance of the ills liable to flow from so-called class legislation.

As an exponent of, and one of the means whereby this interest may be fostered and advanced by the state, stands the

#### STATE BOARD OF AGRICULTURE.

I am pleased to believe that the board of agriculture is in and of itself a success; and that its work for the last two years at least, has been fully up to expectations; that its meetings have been of unusual interest and of great advantage to the interests it has had in charge, and I commend it to you for encouragement and favorable consideration. Standing along by the side of the board of agriculture, and as a co-worker in devising means and measures and applying them, for the advancement of the farming interests of the state, is

#### THE EXPERIMENT STATION.

To this aid and instrument in forwarding the agricultural interests, I call your earnest and patient attention. I submit that the station may be well considered and treated as an important agency in the field of material prosperity to our people; that under the management of its present excellent and especially well adapted director it is meeting a long existing want; that its further and continued beneficial service and advantages will be up to the full

measure or degree of the fostering care and material encouragement it shall have at the hands of the state.

#### CATTLE COMMISSION.

In the month of March, 1887, such a condition of things existed, and was brought to my attention, as to the existence of and loss from contagious cattle disease,—notably in Bennington county—that I created a board of cattle commissioners, namely: John B. Mead of Randolph, Edgar N. Bissell of Shoreham, and Luman A. Drew of Burlington. Later Mr. Bissell resigned, and a further vacancy occurred by the lamented death of Mr. Mead. I appointed Mr. Fred H. Farrington of Brandon, to fill a vacancy.

Events transpiring subsequent to the appointment of the commission demonstrated that there was great need of its existence.

The commission rendered efficient and valuable service, as their report fully attests. This report will be subject to your call. There being no evident occasion for further service of the commission, I have terminated it.

#### THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The relation of the university of Vermont and the state agricultural college to the state, is not measured by the fact of its existence here, and entitled to its general care and protection. Its name may be said to indicate its true relation. In my inaugural message, I was moved to comment somewhat at length upon this subject, and there is a seeming want of occasion and perhaps of propriety in again going over this enticing and interesting field. The report of the trustees will be before you; and if I judge correctly in that regard, you will find it of unusual interest, and exhaustive of the subject. It merits, and I solicit for it, your earnest consideration.

#### STATE BOARD OF HEALTH.

The importance of the duties devolving upon the state board of health must be apparent to all. That it has rendered much valuable service to the state during its existence is perhaps best evidenced by the able and exhaustive reports of the board by its secretary, and I refer to it as not only the best source of information as to what has been accomplished, but as containing much invaluable information and instruction. The suggestions and recommendations of the board merit your careful attention and consideration.

#### IN CONCLUSION.

#### GENTLEMEN:

As the concluding act of my office, let me extend to you and through you to the people at large, my congratulations upon the peace, harmony and general contentment that prevails throughout the state. Let me venture to remark briefly as to legislation gen-

erally. Frequent alterations of the general laws are not desirable. It is not enough that a proposed act will do no harm. To justify its passage there should be a wrong to be righted, clearly observable, or an unmistakable and substantial gain or benefit in view. And the value to the people of your service here as their chosen representatives and servants will depend more upon the quality than upon the number of your enactments. And while it is inevitable that much seeming delay must occur before the substantial business of the session can have progress, there is much of the routine and minor work that may be disposed of early, thereby securing to the performance of your later and more important duties, less confusion and greater opportunity for deliberate action.

EBENEZER J. ORMSBEE.

EXECUTIVE CHAMBER,  
MONTPELIER, October 4, 1888. }

The Governor, having concluded the reading of his communication, withdrew and the joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

IN JOINT ASSEMBLY,  
OCTOBER 4, 1888, 2:30 P. M. }

The senate and house of representatives met in the hall of the house of representatives in pursuance of a joint resolution which was read by the clerk and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly on Thursday, October 4th, next, at two o'clock and twenty minutes in the afternoon, to receive the report of the joint canvassing committee appointed to canvass votes for state officers.*

HON. LEVI K. FULLER, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

The joint canvassing committee submitted a report which was read by the clerk and is as follows:

*To the Joint Assembly now in in Session:*

The joint canvassing committee appointed to canvass the votes

for Governor, Lieutenant-Governor, Treasurer, Secretary of State and Auditor of Accounts, respectfully report,

That they have attended to the duties of their trust, and find the number of votes to have been :

For Governor.....	69,426
Necessary for a choice.....	34,714
Of which William P. Dillingham had.....	48,522
Stephen C. Shurtleff had.....	19,527
Henry M. Seeley had.....	1,372
Scattering .....	5
Majority for William P. Dillingham.....	27,618

And agreeably to constitutional provisions, we hereby declare William P. Dillingham, who received a major part of the votes, to be Governor of the state of Vermont for the two years next ensuing.

For Lieutenant-Governor.....	69,324
Necessary for a choice.....	34,663
Of which Urban A. Woodbury had....	48,406
Thomas C. O'Sullivan had.....	19,534
George E. Crowell had.....	1,380
Scattering .....	4
Majority for Urban A. Woodbury.....	27,488

And agreeably to constitutional provisions, we hereby declare Urban A. Woodbury, who received a major part of the votes, to be Lieutenant-Governor of the state of Vermont for the two years next ensuing.

For treasurer.....	69,293
Necessary for a choice.....	34,647
Of which William H. DuBois had....	48,387
William E. Peck had.....	19,528
Armentus B. Bixby had.....	1,375
Scattering .....	3
Majority for William H. DuBois.....	27,481

And agreeably to constitutional provisions, we hereby declare William H. DuBois, who received a major part of the votes, to be treasurer of the state of Vermont for the two years next ensuing.

For secretary of state.....	69,316
Necessary for a choice.....	34,659
Of which Charles W. Porter had.....	48,415
William B. Mayo had.....	19,528
Archibald O. Ferguson had.....	1,371
Scattering .....	2
Majority for Charles W. Porter.....	27,514

And agreeably to constitutional provisions, we hereby declare

Charles W. Porter, who received the major part of the votes, to be secretary of the state of Vermont for the two years next ensuing.

For auditor of accounts.....	69,279
Necessary for a choice.....	34,640
Of which E. Henry Powell had.....	48,411
George M. Dearborn had.....	19,503
Charles S. Parker had.....	1,364
Scattering.....	3
Majority for E. Henry Powell.....	27,543

And agreeably to constitutional provisions, we hereby declare E. Henry, Powell, who received a major part of the votes, to be auditor of accounts of the state of Vermont for the two years next ensuing.

All of which is respectfully submitted,

ELIHU B. TAFT,

Chairman of the joint canvassing committee.

MONTPELIER, October 3d, 1888.

Senator Smith of Washington county offered the following resolution :

*Resolved*, That a committee of this joint assembly consisting of one senator and two members of the house of representatives be appointed by the president to wait on the Governor-elect, and inform him of his election, and that the joint assembly is in session and ready to receive any communication he may desire to make to it.

Which was read and adopted.

And thereupon the president appointed as such committee senator Smith of Washington county, Mr. Palmer of Waterbury, and Mr. Ballard of Burlington.

The committee subsequently appeared within the bar of the joint assembly, accompanied by the Governor-elect, and announced that they had fulfilled the duties of their appointment, that the Governor-elect accepted the office to which he had been elected, and that he then proposed to receive and subscribe to the oath of office.

Which oath was duly administered by the Hon. James M. Tyler, one of the judges of the supreme court of Vermont, and subscribed to by His Excellency.

The Governor having been presented to the joint assembly, proceeded to deliver the biennial

### MESSAGE.

#### TO THE GENERAL ASSEMBLY OF THE STATE OF VERMONT :

In the preparation of such business as appears to me necessary, in conformity with the constitutional provisions in that regard, to



lay before the general assembly, I have been profoundly impressed with a sense of the great wisdom exercised by the founders of our state, and of the patriotism, purity of purpose and intelligence of those who, since the adoption of the constitution, have enacted, interpreted and administered the laws.

There appears to have been, at all times, a firm purpose to adhere strictly to the principles embodied in the declaration of rights; and to such a degree have the privileges and immunities of the individual been protected that present legislation is necessarily limited, for the most part, to those matters that relate more particularly to the welfare of the people as a body. And in this direction such progress has been made that the law-maker is more concerned in perfecting what has already been established than in the inauguration of new lines of legislation.

#### REPORTS OF STATE OFFICERS.

Before alluding to a few of the many matters that may occupy your attention during the present session, I wish to refer to the very serious embarrassment suffered by the incoming Governor in his inability to find access to the biennial reports of the several state officers in season to become familiar with the condition of public business and the requirements of the different departments prior to the time when he must prepare his inaugural address. Some of the most important of these reports have not yet come under my eye; others were received too late to be of any substantial service; while only a few were obtained in season to be properly considered. The fault does not rest on the state officers, but lies in the provisions of the law, and I recommend such amendments thereto as will make the fiscal year in this state correspond with that of the general Government and end with the last day of June, and that all laws relating to the preparation and printing of reports of state officers be so amended as to make such reports forthcoming one month earlier than at present.

#### FINANCES.

The following statement prepared by the state treasurer shows the liabilities and resources of the state at the close of the last fiscal year.

#### LIABILITIES.

Due towns, U. S. surplus fund.....	\$12,916 37
Due soldiers, unpaid balances.....	8,359 97
Due Agricultural college fund(represented by state bonds, falling due June 1, 1890, interest payable to the college semi-annually).....	135,500 00
Due on appropriation for Gettysburg monument and grounds.....	6,880 00
	<hr/> \$163,656 34

## RESOURCES.

Cash on hand and in banks,.....	\$88,062 30
Estimated amount of tax from corporations for 1888.....	230,000 00
Estimated proceeds from balance of Huntington fund securities.....	13,000 00
	<hr/> \$331,062 30

It will be noticed that the resources now provided for exceed present liabilities in the sum of \$167,405.96. This result is more satisfactory when considered in connection with the other fact, that during the last biennial term the amount of state expenses has been greater by \$166,350.70 than that of the last preceding term.

As to the causes contributing to this increase of expense you are referred to the report of the auditor of accounts, in which you will find a full statement of the same.

In this connection I desire to call your attention specially to that portion of the auditor's report in which he discusses court expenses and the great saving to the state since 1880 in the enforcement of a rule requiring justices of the peace and other persons holding, or responsible for, fines and costs, or other funds belonging to the state, to account for the same before having their bills of costs or counter claims allowed. He informs you that his right to enforce such rule has been stoutly denied, and asks for legislative provision in that behalf. Inasmuch as the amount of fines and costs paid into the treasury under the operation of this rule is nearly double that paid in during a corresponding term previous to its adoption, his recommendations deserve careful consideration and such legislation as will result in the collection of every dollar due the state, and the payment of the same into the treasury.

## PENAL AND REFORMATORY INSTITUTIONS.

I am not aware that the state prison, house of correction or Vermont reform school has any special need to be provided for. The reports of the directors and trustees indicate a commendable state of affairs at each of these institutions.

It appears, however, that the house of correction has at times been overcrowded with inmates, while the state prison has not been full. This has been caused by sending those convicted of high crimes and sentenced to long terms of imprisonment to the house of correction rather than to the prison, where they more properly belong. Two years ago the directors called attention to the matter and urged legislation that would prevent such commitments; this year they again speak of it, and urge that provision be made that will send this class of prisoners to the state prison, where they can be more safely guarded, more profitably employed, and where they will be in all respects as well treated.

## INSANE ASYLUM.

An examination of the report of the trustees of the Vermont asylum discloses the fact that for many years past it has been filled to its greatest capacity and has, in fact, been overcrowded. The institution is not capable of properly accommodating more than four hundred patients, and yet the average number of inmates during the last ten years has been four hundred and forty-five. To add to the embarrassment caused by this excess in numbers, the discharges since 1878, under the direction of the state board of supervisors, have been from among that class of patients whose insanity had become chronic and were considered harmless, and the places vacated by these quiet and easily managed persons have been taken by a like number of noisy, destructive and violent patients. "Where the former class could be safely associated and provided for in dormitories, the latter requires for the most part single apartments," so that in the shifting of patients from one location to another it frequently happens that inmates are brought in contact with each other who would not be for any other reason; hence as the trustees state, "the overcrowding subverts a proper classification, as well as interferes with the feeling of contentment which depends so largely upon the surroundings of the patient." Added to the troubles already enumerated is the further fact that during the two past years the average number of inmates has been four hundred and sixty-one, or sixty-one more than the asylum can properly accommodate. This increase has, to a large extent, been caused by the operation of the so called Poland pauper law, under which, as the superintendent states, about twenty have been committed to the asylum, chiefly to relieve the towns from which they came of the burden of supporting them.

It is claimed by the trustees, considering the relation of the institution to the state, that they "are not legally holden to care for the transient, nor under obligation to receive the convict and criminal insane," and that at the rate of increase of admissions which has been going on, some process of exclusion may be forced upon them before another biennial period has elapsed. The trustees make no suggestions as to the course the state should adopt, nor as to what they, as trustees, desire in the matter.

It appears that of the class known as the convict insane there are less than twenty in this institution, so that if other provision should be made for them the asylum would not be sensibly relieved. It also appears from other sources that there are over nine hundred cases of insanity in the state, and that they are constantly increasing in number, which, taken in connection with the present overcrowded condition of the asylum, and the increasing demand for admission to it, leads irresistibly to the conclusion that immediate steps must be taken by the state to further provide for this unfortunate class.

Whether it shall be by the erection of a state asylum at some convenient point, capable of accommodating a part or all of the in-

sane poor and such private patients as may be desired, and upon a plan which will permit, of additions or extensions as the needs of the state may require, or whether the state will contract with the Vermont asylum for the erection of other buildings in connection with that institution and make provisions for the care of all its insane poor at that place, or whether some other or different plan shall be adopted, is a question for you to determine. I lean to the opinion that the first named plan is the best, but, without urging my own views in that regard, I do most earnestly recommend to your attention the absolute necessity of immediate action of some kind for the relief of this class of unfortunates whose capacity to suffer seems all that is left them.

#### UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The university of Vermont comes to you this year with an earnest appeal for that substantial aid and support which, it is claimed, the founders of the state contemplated when the institution was founded.

The trustees in their exhaustive and comprehensive report call attention to the advantages that have resulted from the gifts of Mr. Howard and Mr. Billings, "the increase in the members of the faculty, the doubling of the attendance of students within a few years, the gradual advancement of the standard of scholarship, the enrichment of the curriculum by the introduction of scientific and elective courses, the manifestations of confidence and interest through gifts and legacies, the flourishing condition and high character of the medical department, and the universal impression throughout the state and abroad that the university is in a prosperous and progressive condition," and urge these circumstances as an indication that the present is a favorable time for a strenuous effort on the part of all interested to secure for the university increased power and a broader field of usefulness in the future.

They call attention to the fact that a grant of state aid was "contemplated in the original plan of the university as conceived by the founders of the state, and was carried forward in the best way which the poverty of those early times admitted, by the reservation of town lots for the benefit of the university;" also that the state has recognized its interest in and relation to the institution in making its state officers ex-officio members of the corporation, in the reservation of the "right to appoint one half of its board of control, and to exercise visitatorial power over all its affairs and proceedings." They also claim that by the charter of 1865 the state assumed new relations to the university and imposed upon it obligations far in excess of the benefit derived from the fund donated by the general government, and that in entering into the great and difficult work of adding to the ancient curriculum "the large array of new sciences, with their applications, with which modern invention has enchanced human knowledge," the university did it with the certainly reasonable presumption that the state would, in addition to the wholly inadequate congressional aid, make liberal grants from

time to time in furtherance of the objects contemplated in the charter." And the trustees referring to the relation borne by the state to the university, make use of the following language: "She has not only a duty to perform, such a duty as rests on all enlightened states toward the higher education,—she has a virtual pledge to redeem toward the institution with which she entered into partnership by the charter of 1865."

I have thus called special attention to the report of the trustees because of the great importance of its subject matter, and because of the intelligence, learning and character of its authors. I bespeak for this report the examination and consideration it deserves, and if its arguments commend themselves to your judgment as well founded, and its demands seem to you just and reasonable, it is to be hoped that such action may be taken as will place the university upon a plane of usefulness befitting an institution of its character.

Your attention is called to an act of congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," under which an appropriation of fifteen thousand dollars annually is made to each state for the purpose of paying the expenses of conducting such stations. Section nine of this act provides "that the grants of moneys authorized by this act are made subject to the legislative assent of the several states and territories to the purposes of said grant." This calls for action on your part.

It will also be incumbent upon you to elect three members of the board of trustees on the part of the state, to serve six years, beginning November, 1889.

#### SAVINGS BANKS AND TRUST COMPANIES.

The report of the inspector of finance is a document so full of valuable information in regard to the management and present condition of the savings banks and trust companies of the state that I cannot consent to mar its completeness, either in making extracts or in attempting to state its substance. It should be carefully read by every legislator and the recommendations therein contained considered in connections with the reasons upon which they are founded. Most of these institutions are, in most respects, models of financial management; but if disaster should befall any of them by reason of too extensive investments in western mortgages, or because of dividends to depositors larger than prudent management would dictate, the inspector would not be in fault. He has repeatedly called attention to what he conceives to be a danger and has laid the responsibility for action upon the general assembly. In view of the fact that these institutions now hold upon deposit nearly seventeen millions of dollars of the people's

money, no degree of care in the enactment of laws regulating its investment can be too great.

In this connection permit me to refer to the fact that the aggregate amount of deposits, less than fifteen hundred dollars each, held by the savings banks and trust companies of this state are taxed at the rate of six-tenths of one per cent. per annum, which is about one-half the average rate of taxation imposed by law on those classes of property embraced in the grand list. It is probably true that the grand list does not represent all of the taxable property in the state, and some of it may not be listed at its full value, but whether on this account there should be such a wide difference in the rate of taxation of the two classes of property, is a question for you to determine.

#### BOARD OF AGRICULTURE.

I have not been able to examine the report of the board of agriculture, nor have I any information as to its contents or recommendations. I am, therefore, able only to refer to the fact that ours is distinctively an agricultural state, and that the general course of legislation should be such as to encourage the best possible work in developing this industry. In a general assembly, such a large proportion of which is made up of farmers, no recommendations of mine can be necessary to inspire legislation in this direction. Permit me to suggest, however, that as large manufacturing factories operate to produce a home market for farm products, a policy should be adopted that will encourage their establishment. We have great natural advantages which as yet are undeveloped and in which the investments of capital stock should be encouraged by all legitimate means.

#### RAILROADS.

Since the close of the last session of the legislature, the so-called inter-state commerce law of the United States has been enacted and put in operation. The action of this law has attracted general attention and excited great public interest, and it is thought by those most conversant with its operation that its principles have found permanent lodgment in the legislation of the general government. There is also a widespread feeling in our state that the provisions of that law concerning the duties and obligations of common carriers in their relations to individuals and to the public should be, so far as is practicable, incorporated into the statute laws of this state, with proper penalties for the enforcement of the same, and that enlarged power should be given to the board of railroad commissioners in connection therewith. If, as is claimed, the adoption of such provisions will place all patrons of railroads upon a common footing, remove unjust discriminations wherever they exist, and serve to allay any feeling of distrust, founded or unfounded, now entertained toward this class of corporations, and, on the other hand, work no injustice to the classes to which they are made to apply, nothing better could be desired in legislation. The proposition meets my approval.

## THE BOARD OF RAILROAD COMMISSIONERS.

The board of railroad commissioners has prepared an elaborate report concerning its work during the first twenty months of its existence, the perusal of which cannot fail to be both interesting and instructive. The board early realized that the law laid upon it "a broader and more varied field of service than could be fully explored in any one term or touched upon in all its details in any one report," and wisely decided not to undertake more than it could successfully accomplish. Much that it has done has been, necessarily, somewhat preliminary in its character, and has not yet yielded the results that may be expected at a later time; but in the system of returns adopted and in the supervision it has established, the board has laid a foundation upon which, in the future, great results must necessarily rest. On the other hand, much has been accomplished that could not have been done in the absence of the board. The report shows that in every instance in which any individual feeling aggrieved has applied for assistance, a speedy hearing has been granted, a determination reached, and the railroads have uniformly yielded a ready acquiescence in the recommendations of the board.

The recommendations that all railroad companies be required by law to heat their passenger coaches by other means than the use of stoves or furnaces, and that the extension of guard rails, or some other safety appliance, upon the approach of all bridges be made compulsory, are based upon facts and conclusions elicited by the most painstaking investigations, the report of which will be read with lively interest and satisfaction. All other recommendations contained in the report seemed to be based upon well considered and well founded reasons, and should not be overlooked.

The record of the past indicates a bright future of usefulness to this board.

## THE MILITIA.

For information concerning the character, condition and needs of the national guard of Vermont, you are referred to the very interesting report of the adjutant and inspector-general, whose love for the military branch of the state government is only equaled by his efforts to advance its efficiency. You will carefully note his suggestions and recommendations, and take such action as shall appear to you to be demanded.

## GETTYSBURG MONUMENTS.

It has not been my fortune thus far to participate in the work of patriotism and gratitude for commemorating Vermont valor at Gettysburg, but, having a deep interest in it, I desire to speak approvingly of the recommendations of the retiring executive.

Vermont has never been wanting in devotion to her soldiers, and I believe it is the desire of all her people that this work shall go on to completion in such a manner as to reflect the most credit on the

state. This is one of the subjects upon which expense, within reasonable limits, is of comparatively little importance, and I am confident the commission has exercised economy as well as judgment in what it has done or undertaken. I recommend that such appropriation be made and such legislation had as will carry out its work and wishes; and, inasmuch as my distinguished predecessor was, by virtue of his office, a member of the commission, and as such has taken the liveliest interest in all the details of the work, I suggest such legislation as will permit his retention in the commission.

#### VERMONT HISTORICAL SOCIETY.

The Vermont Historical Society in its new quarters has a safe and convenient place in which to keep its valuable collection. It has books and papers that should be bound, also many valuable documents and articles that should be framed or mounted so that they can be seen. A collection of this character draws increase to itself by being properly displayed, and it would seem to be wise for the state to grant such an appropriation as will enable the society to do the work above indicated. The expenditure required is not large and is directly in the line of the preservation, proper use and increase of property of great historical value, and in which the state now has a proprietary interest.

#### PROHIBITORY LIQUOR LAW.

During all the time the prohibitory liquor law has been upon our statute books, there have been constant and persistent efforts on the part of its opponents to discover defects in its provisions and to prevent its proper enforcement. The representatives of the people have, on the other hand, sought to remedy its defects, strengthen its character, and improve its effectiveness. As the law now stands it is an exceedingly strong one. Its weakness lies, to a considerable extent, in the difficulty attending its enforcement. The person injured does not, as in other cases, enter complaint, look up evidence, and by his suggestions aid the prosecutor in his work, but by all means in his power, not infrequently committing the crime of perjury so to do, shields the man who has ministered to his ruin. Its ineffectiveness has also been increased by a want of support on the part of the public at large. There have been too many who, though at heart friendly to the law, lacked the moral courage to publicly support those who have had to do with its enforcement. This class has added weakness to weakness in its unjust criticisms of those who, deserted by friends and surrounded by foes, have in most cases performed their duty as well as the existing circumstances permitted. Gradually, however, a better public sentiment has been developed; prosecuting officers feel the moral support given; jurors are strengthened in a spirit of independence, and witnesses begin to comprehend that in evasion and untruth they are no longer excused, much less commended. A corresponding weakness is noted on the part of the offenders; in



some counties where, a few years ago, almost all charged with offences under this law took trial, the offender who now dares to face a jury is the exception. The main difficulties are encountered in the more populous villages where greater secrecy can be observed and where, when one conviction has been had and a fine has been imposed, the offender finds it easy to place his business in the hands of another as the ostensible owner, and so evades imprisonment in case of a second or third prosecution.

Has not the time come when a sentence of imprisonment should follow the first conviction under this law, and when a provision of that character would do more to stop sales in the larger villages than any other measure yet proposed? I am strongly of the opinion that it has; but the subject is one which by its importance so addresses itself to your patient scrutiny that suggestions are unnecessary.

#### EDUCATION.

The form and nature of our government are such that virtue and intelligence are not only its foundation stones, but its walls of defence. It is conceded by all that a high development of these qualities can only come with superior educational facilities. The framers of the constitution recognized this fact in the provision that "laws for the encouragement of virtue and prevention of vice and immorality, ought to be constantly kept in force, and duly executed; and a competent number of schools ought to be maintained in each town for the convenient instruction of youth; and one or more grammar schools be incorporated and properly supported, in each county in the state."

The people and their representatives have, at all times, sought to carry these provisions into effect; the only differences arising having been those relating to methods and systems rather than to the ends sought to be accomplished.

That the present district system contains serious defects, can not be doubted; that the common schools have failed in the character of their work to keep abreast with the progress of the times, is admitted by all observant people.

New methods have been proposed and discussed; the town system has been perfected and offered to the people, only to be rejected, and to-day we stand in the position occupied ten years ago, with the district system in force in nearly all the towns of the state, unimproved and full of glaring faults.

In the proposed adoption of the town system, some of our best educators hoped for success, believing that under its provisions a better system of supervision could be obtained, and that an efficient supervision was the prime necessity of the hour. That this system has worked admirably in certain places can not be doubted; that it has failed in others, can not be denied; that the great majority of the people prefer the district system and are averse to any other, is as plain to my mind as any fact in history can be made.

Recognizing the necessity of solving this problem intelligently, the general assembly of 1886 enacted a law entitled "An act appointing a committee of three to draft a new educational bill, so as to increase the efficiency and improve the public schools of the state," under which a committee, consisting of Hon. Loveland Munson of Manchester, President Ezra Brainerd of Middlebury college and principal S. W. Landon of the Burlington high school, was appointed. These gentlemen entered the work with enthusiasm, and have devoted much time and energy to the study of the question, and in devising a remedy for the evils found to exist. The results of their work will be laid before you at an early day; space will not permit a discussion of it in this address, but you will pardon me in remarking that the plan they propose commends itself to my judgment and meets with my warm approval.

Upon the general assembly rests a great responsibility; with it there has come a great opportunity; parents throughout the state are looking to you for action, and public interest demands it; expense is not to be considered in a question of this importance, unless the amount required is greatly disproportionate to the end sought. I am sure I need not urge you to lay aside all prejudices in favor of or against any particular system, or to rise above any personal or selfish interest in the matter. Your purity of purpose, your loyal love for the best interests of our state, and your appreciation of the absolute need there is for reform in school methods, will surely lead you to vigorous and intelligent action.

In conclusion permit me to wish you a pleasant and harmonious session, the results of which shall be marked by evidence of wise counsels, mature consideration, and courage equal to all the demands of public interests.

WILLIAM P. DILLINGHAM.

EXECUTIVE CHAMBER,  
MONTPELIER, VT., October 4, 1888. }

The Governor having concluded the reading of his communication, withdrew, and the joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,

*Clerk.*

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IN JOINT ASSEMBLY, }  
OCTOBER 11, 1888, 3 P. M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, in pursuance of a joint resolution, which was read by the clerk, and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly at three o'clock P. M. on*

Thursday, October 11, 1888, to receive the reports of the joint committee appointed to canvass votes for representatives in congress.

His Honor, URBAN A. WOODBURY, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

The joint canvassing committee submitted a report which was read by the clerk, and is as follows:

*To the Joint Assembly now in Session:*

The committee appointed to canvass the votes for representatives in congress, given at the September election, A. D. 1888, having attended to their trust, respectfully report:

That they have received, sorted and counted the votes for representatives in congress from the several congressional districts in the state of Vermont, and find the whole number of votes cast to have been:

In the first congressional district.....	34,027
Necessary for a choice.....	17,014
Of which John W. Stewart had.....	23,892
Ozro Meacham had.....	9,746
Peter Dakin had.....	385
Scattering .....	4
Majority for John W. Stewart.....	13,757

And agreeably to constitutional provisions, we hereby declare John W. Stewart, who received a major part of the votes, to be representative in the congress of the United States from the first congressional district of Vermont, for the two years from and including the fourth day of March, A. D. 1889.

In the second congressional district.....	34,224
Necessary for a choice.....	17,118
Of which William W. Grout had.....	24,219
George W. Smith had.....	9,605
Cyrus W. Wyman had.....	397
Scattering .....	3
Majority for William W. Grout.....	14,214

And agreeably to constitutional provisions, we hereby declare William W. Grout, who received a major part of the votes, to be representative in the congress of the United States from the second congressional district of Vermont, for the two years from and including the fourth day of March, A. D. 1889.

HENRY C. BATES,

Chairman of the Canvassing Committee.

MONTPELIER, October 10, 1888.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,

*Clerk.*

IN JOINT ASSEMBLY, }  
OCTOBER 12, 1888, 11 A. M. }

The senate and house of representatives met in the hall of the house of representatives, in pursuance of a joint resolution, which was read by the clerk, and is as follows:

*Resolved by the Senate and House of Representatives, That the senate and house of representatives meet in joint assembly on Friday, October 12th, at eleven o'clock in the forenoon to hear the report of the joint canvassing committee appointed to canvass votes for county and probate officers and justices of the peace.*

His Honor, URBAN A. WOODBURY, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

Senator Mansur of Essex county, chairman of the canvassing committee, submitted a report declaring the following named persons to be duly elected to the offices annexed to their names, respectively for the term of two years, from and including the first day of December, A. D. 1888.

Which was read by the clerk, and is as follows:

#### ADDISON COUNTY.

J. Warren Barnes of Vergennes, } *Assistant Judges of the*  
Julius J. Crane of Bridport, } *County Court.*

Lyman E. Knapp of Middlebury, *Judge of Probate for District of Addison.*

John D. Smith of Vergennes, *Judge of Probate for District of New Haven.*

Charles M. Wilds of Middlebury, *State's Attorney.*

Howard Clark of Lincoln, *Sheriff.*

Anson W. Frost of Cornwall, *High Bailiff.*

#### JUSTICES OF THE PEACE.

**ADDISON.**—Rector Gage, S. W. Smith, Carlton B. Smith, Charles B. Strong, Milnerd F. Barnes.

**BRIDPORT.**—Sheldon Smith, Nathan S. Bennett, Franklin A. Williams, Henry Nichols, Henry E. Morrill, John H. Witherell, Francis G. Converse.

**BRISTOL.**—R. A. Young, William E. Dunshee, Alfred Ferguson, R. E. Allen, A. L. Rowell, F. B. Sumner, H. A. Bogue.

**CORNWALL.**—Charles Benedict, W. Harrison Bingham, Charles H. Lane, Lyman W. Peet, Alverton S. Bingham, C. C. Ward, Franklin Hooker.

**FERRISBURGH.**—Putnam Allen, Jabez W. Rogers, George G. Robinson, John P. Kenyon, Byron W. Field, Reuben Parker, C. H. Mallory.

**GOSHEN.**—Nathan Capen, Joseph C. Hooker, Arnold Ayer, J. L. Jones, H. W. Chamberlin.

**GRANVILLE.**—L. Webb, Jr., E. F. Briggs, H. P. Hayes, R. J. Flint, E. L. Jewett.

**HANCOCK.**—George V. Wilson, Ara E. Whitney, Hiram R. Perry, Titus Hutchinson, D. B. Blair.

**LEICESTER.**—Otis H. Capron, Lewis C. Needham, Leslie A. Severy, Roscoe O. Sawyer, Miles O. Oliver.

**LINCOLN.**—Charles G. Butterfield, Stephen M. Colby, Moses B. Gove, Edmond M. Whitney, Watson Morgan, Irvin A. Colby, Robert Wilson.

**MIDDLEBURY.**—Lyman E. Knapp, Loyal D. Eldredge, Edward J. Mathews, Henry L. Sheldon, Henry D. Maynard, Amasa S. Tracy, Thomas Henry McLeod, Milo E. Day, Milton A. Brooks, Edward C. Severance.

**MONKTON.**—H. P. Stilson, E. H. Carl, B. W. Bidwell, Stillman Grandy, E. W. Meader, L. E. Beers, F. H. Dean.

**NEW HAVEN.**—H. P. Palmer, W. H. Peck, M. L. Taylor, S. S. Wright, E. G. Hunt, C. F. Squier, C. B. Bullard.

**ORWELL.**—Stephen N. Warren, Rodney F. White, Rollin E. Brown, Gideon Abbey, Rodney D. Hall, Ethan M. \*right, Edward Arthur.

**PANTON.**—William H. Ten Broeke, Loyal Kent, William E. White, Emerson Hol land, Frederick E. Sears.

**RIPTON.**—Hiram I. Spoor, William Galvin, Wallace R. Newton, George J. Hodges, Henry C. Powers.

**SALISBURY.**—Dascomb E. Gibson, Samuel P. Nash, William Deming, Nathan A. Gibbs, William E. Ellis.

**SHOREHAM.**—Myron Platt, K. W. Merritt, William N. Platt, E. G. Farnham, C. W. Platt, C. W. Howard, C. N. North.

**STARKSBORO.**—O. D. Baldwin, Samuel Lamb, Dan. H. Hill, Albert Orvis, Frank N. Hill, John R. Tefft, Edward J. Tucker.

**VERGENNES.**—George W. Grandey, C. A. Booth, J. E. Roberts, J. W. Barnes, O. C. Dalrymple, F. W. Tuttle, G. F. O. Kimball.

**WALTHAM.**—William S. Wright, Solon Burroughs, W. R. Bristol, A. D. Everts, David Hare.

**WEYBRIDGE.**—A. D. Hayward, L. Silas Wright, J. F. Cotton, M. N. Baker, Martin E. Sprague.

**WHITING.**—George S. Walker, Rollin D. Needham, Daniel Holmes, Asahel H. Hubbard, William W. Needham.

## BENNINGTON COUNTY.

Faxon I. Bowen of Readsboro, } *Assistant Judges of the*  
Walter R. Dean of Manchester, } *County Court.*

Edward L. Sibley of Bennington, *Judge of Probate for district of Bennington.*

Loveland Munson of Manchester, *Judge of Probate for District of Manchester.*

Orion M. Barber of Arlington, *State's Attorney.*

Andrew J. Pike of Readsboro, *Sheriff.*

Trenor P. Harbour of Glastenbury, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ARLINGTON.**—B. W. Safford, C. B. Vialt, A. H. Judson, H. M. Farnham, C. M. Brownson, Elias M. Harrington, David Crofut.

**BENNINGTON.**—Thomas White, E. D. Filmore, E. S. Chandler, L. B. Newton, Edward Rice, Francis Gulltinane, C. D. Phillips, Edward Walbridge, I. E. Gibson, Michael Welch, J. H. Walbridge, Samuel Keyes, Hiland Fay, M. W. Stewart, C. E. Graves.

**DORSET.**—J. B. Manley, J. H. Nadeau, S. Nichols, A. Ladd, H. G. Harwood, A. K. Sykes, Robert Carney, Jos. G. Tuohy, B. A. Rogers, F. G. Harwood.

**GLASTENBURY.**—E. A. McDonald, G. E. Harrington, Nelson Matteson, Edgar Greene, Marshall Nickols.

**LANDGROVE.**—W. W. Wiley, H. P. Warner, J. H. Bolster, William Jaqueth, J. C. Barton.

**MANCHESTER.**—Egbert B. Smith, Richard W. Dean, Charles Reed, Leroy M. Manley, Levi D. Coy, Malcom Canfield, Harvey K. Fowler.

**PERU.**—J. C. Lakin, M. B. Lyon, M. J. Hapgood, Ira R. Walker, C. M. Russell.

**POWYAL.**—William R. Blanchard, H. S. Burrington, Orrin Bates, J. W. Wright, George M. Hudson, F. J. Pettibone, B. E. Brownell, A. G. Parker, Justin Patrell, M. W. Potter.

**READSBORO.**—E. B. Fuller, A. B. Cross, J. T. Currier, O. A. Carpenter, D. P. Carpenter.

**RUPERT.**—Frank W. Carpenter, Albert E. Burton, Seymour Harwood, Edward F. Hays, William B. Denio.

**SANDGATE.**—Willis S. Bently, "Will C. Peck, James M. Provan, Timothy Hayes, William J. Hamilton.

**SEARSBURGH.**—George J. Bond, W. E. Shippee, George Farrington, Abram Tenney, Charles S. Grimes.

**SHAFTSBURY.**—Myron Barton, William P. Mattison, Russell Stone, Nathan Botum, Solomon Howard, George E. Buck, Abel S. Webb.

**STAMFORD.**—Silas W. Webster, Z. W. Kemp, Frank L. Campbell, Bennet S. Cole, Henry G. Barber.

**SUNDERLAND.**—George Carey, Henry S. Burt, Horatio N. Buck, James P. Williams, James A. Graves.

**WINHALL.**—William D. Leonard, Charles R. Williams, Isaac L. Kelley, Truman Lamson, Nelson E. Hewes.

**WOODFORD.**—George W. Bickford, Cornelius E. Walker, Mark Harbour, James F. Smith, Myron H. Woodward.

### CALEDONIA COUNTY.

Cloud Harvey of Barnet, } *Assistant Judges of the*  
Joseph T. Gleason of Lyndon, } *County Court.*

Walter P. Smith of St. Johnsbury, *Judge of Probate.*

Alexander Dunnett of St. Johnsbury, *State's Attorney.*

Lorenzo Sulloway, Jr. of St. Johnsbury, *Sheriff.*

Josiah S. Kenerson of Barnet, *High Bailiff.*

### JUSTICES OF THE PEACE.

**BARNET.**—Alex H. Gammell, W. H. Gilchrist, A. D. Mason, W. H. Burbank, Moses Gillilan, H. E. Roble, F. W. Mason.

**BURKE.**—C. T. A. Humphrey, Charles A. Harris, Julius A. Humphrey, Theron Bell, Marshall W. Stoddard, Wendell Silsby, Jesse Marshall.

**DANVILLE.**—William J. Stanton, "William H. Harris, John Sias, Moses M. Batchelder, George W. Cook, Charles Brainerd, Martin V. B. Sargent, Harvey E. Kelsey, Charles Wilson.

**GROTON.**—Jonathan E. Darling, Thomas B. Hall, Archibald P. Renfrew, Morris C. Vance, Henry C. Glover, Augustus M. Heath, Benjamin F. Clark.

**HARDWICK.**—J. B. Livingston, Dorman Bridgman, Henry Perley, Z. R. Huntley, J. R. Ainsworth, Cyrus Underwood, J. W. Hovey.

**KIRBY.**—P. H. Graves, E. W. Church, Alden Russell Austip Barney, Henry Ranney.

**LYNDON.**—I. W. Sanborn, C. M. Chase, J. S. Thompson, J. W. Burrington, Rufus Young, George M. Park, C. K. Hubbard, I. W. Cunningham, A. O. Harris, D. S. Winter.

**NEWARK.**—Charles H. Hall, D. F. Johnson, Henry Hunt, D. D. Fairbanks, W. G. Cheney.

**PEACHAM.**—James R. Kenerson, John Varnum, Jr., Loring Chase, Leonard Welch, Joseph G. Guthrie, Paul F. Ferguson, Frank E. Palmer.

**RYEGATE.**—M. R. Gray, James Johnson, Alex. McCole, Corwin Whitehill, Charles Lamphere, James White, A. Cochran.

**SHEFFIELD.**—Charles Ingalls, Bradley Ingalls, Salma Davis, Walter H. Chase, Ward Bradley.

**ST. JOHNSBURY.**—Pearl D. Blodgett, Albro F. Nichols, Walter P. Smith, David Trull, Jovite Pinard, Delos M. Bacon, E. K. Sargent, Albert Worcester, Ed. L. Hovey, George P. Moore, Daniel Carpenter, Benjamin F. Rollins, C. A. Norton, George Babcock, Ira G. Smith.

**STANNARD.**—John N. Sawtell, Benjamin F. Chamberlain, Elwin H. Patch, Egbert W. Clark, Hiram O. Niles.

**SUTTON.**—A. B. Curtis, D. E. Kimball, J. E. Willard, L. W. Gordon, D. E. Rugles.

**WALDEN.**—J. Curtis Stafford, S. Montgomery, Geo. T. Eastman, George P. Stevens, B. F. Taylor.

**WATERFORD.**—Ezra A. Parks, J. W. Curtis, Hiram M. Parks, Wallace G. Stiles, Charles Ross.

**WHEELOCK.**—Charles Rogers, W. W. Bean, William Morgan, William H. Jones, Walter H. Weeks.

## CHITTENDEN COUNTY

Timothy W. R. Nichols of Essex, } *Assistant Judges of the*  
Frederick A. Weed of Shelburne, } *County Court.*

Torrey E. Wales of Burlington, *Judge of Probate.*

David J. Foster of Burlington, *State's Attorney.*

Joseph Barton of Charlotte, *Sheriff.*

Thomas Reeves of Underhill, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BOLTON.**—Thomas S. McGinnis, Henry Stackpole, Henderson Gillett, Harley E. Tomlinson, Elijah H. Sabena.

**BURLINGTON.**—E. M. Sutton, J. E. Russell, Oliver DeVarrennes, H. N. Drury, H. E. Wing, C. J. Alger, John Lavelle, J. W. Russell, C. D. Weller, H. S. Peck, G. W. Wales, C. E. Germain, C. P. Smith, Henry Greene, C. W. Brownell, Jr.

**CHARLOTTE.**—A. W. Sherman, D. W. Hazard, W. W. Higbee, A. A. Byington, Dean Hosford, George W. Varney, H. C. Leavenworth.

**COLCHESTER.**—S. H. Edson, Frank Jubell, M. E. Douglass, Jerry Mongeon, E. O. Johnson, F. F. Gokey, Joseph Lonzo, Charles Black, J. B. Small, Peter Desautels, H. N. Deavitt, Julius E. Wolcott.

**ESSEX.**—T. W. R. Nichols, Edwin Andrews, S. A. Brownell, Lysander Woodworth, P. C. Abby, J. K. Warner, W. H. Humphrey, W. J. Beach, M. L. Snyder, A. E. Bliss.

**HINESBURGH.**—O. A. Mead, John Edwin, A. C. Jodvin, John H. Allen, D. K. Patrick, A. H. Weed.

**HUNTINGTON.**—Sidney Gillett, Warham Brewster, Byron Brewster, Orvis H. Ellis, Harry Ross.

**JERICHO.**—S. S. Thompson, E. C. Fay, N. S. Ranson, W. A. Lee, W. N. Pierce, L. H. Chapin, S. C. Lee.

**MILTON.**—Procter A. Boothe, John W. Brown, George Ashley, Jerh. W. Flinn, Arnold C. Fay, Patrick Rowley, R. Smith Lincoln, Philander F. Marrs, Hardy H. Fuller, Henry H. Rankin.

**RICHMOND.**—Salmon Green, Ira W. Sayles, Salmon F. Andrews, Frederick F. Gleason, Thomas Leonard, Henry R. Norton, William D. Hall.

**SHELBURNE.**—Robery J. White, Walter A. Weed, Norris E. Miller, John L. Barstow, Benjamin Harrington, Eli H. Palmer, LaFayette Lyon.

**SOUTH BURLINGTON.**—Chester H. Steele, Loren B. Baldwin, Edward W. Brownell, Fred N. Drury, Henry H. Hough.

**UNDERHILL.**—Tyler M. Graves, Simeon M. Mead, Warren S. Woodruff, Delevan L. Terrill, Hollis C. Woodworth, Henry P. Brush, Julius G. Morse.

**WESTFORD.**—R. M. Huntley, Alney Stone, J. H. Macomber, S. J. Parker, A. C. Robinson, T. B. Tyler, Charles Kimball.

**WILLISTON.**—Charles D. Warren, George W. Whitney, Hiram Walston, William Barber, Enos W. Taft, Thomas Johnson, R. E. Brown.

## ESSEX COUNTY.

William Morrill of Canaan, } *Assistant Judges of the*  
 James B. Wallace of Concord, } *County Court.*  
 Charles E. Benton of Guildhall, *Judge of Probate.*  
 Franklin D. Hale of Lunenburg, *State's Attorney.*  
 Abner H. Bonnett of Brighton, *Sheriff.*  
 Charles Green of Canaan, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BLOOMFIELD.**—Albert Gregory, Hiram S. Bartlett, William R. Silver, John E. Bowker, Henry A. Gardner.

**BRIGHTON.**—N. Hobson, E. J. Parsons, W. R. Rosebrook, S. D. Hobson, Jason Currier, George Fitzgerald, George L. Clark.

**BRUNSWICK.**—Daniel M. Smith, William H. Wait, James M. Gilkey, John D. French, James H. Beattie.

**CANAAN.**—George W. Hartshorn, Harvey H. Lucas, Hiram M. Harvey, Fred J. James, Ruric N. Frizzell.

**CONCORD.**—Benjamin F. Wadleigh, William S. Howard, Samuel H. Kellogg, Samuel P. Brown, Orin Ford, Luther Russell, Samuel T. Dudley.

**EAST HAVEN.**—Seth F. Hudson, Oscar T. Walter, John L. Hoßford, Jason D. Jenkins, Elias W. Aldrich.

**GRANBY.**—Loomis Wells, Francis A. Rice, Henry C. Wilcox, Wilbur M. Shores, Albion J. Dunn.

**GUILDHALL.**—Azro Burton, William H. Hartshorn, Isaac Marshall, E. G. Rosebrook, Henry E. Bailey.

**LEMINGTON.**—Barnard O. Neil, Arthur T. Holbrook, William H. Sims, Frank O. Neil, Thomas Rowe.

**LUNENBURGH.**—Daniel Powers, William Chandler, John W. Hartshorn, Charles W. King, Fred A. Turner, Levi Silsby, Steven B. Powers.

**MAIDSTONE.**—J. H. Benton, R. W. Gotham, George B. McRich, Havill Lampkin, Royal H. Philbrick.

**NORTON.**—Michael Griffin, M. E. Nelson, John Boutin, Albert McLean, H. E. Ames.

**VICTORY.**—Daniel Colby, S. C. Clement, H. B. Houston, Henry Lee, J. E. James.

## FRANKLIN COUNTY.

Silas P. Carpenter of Richford, } *Assistant Judges of the*  
 William H. Stiles, of Montgomery, } *County Court.*

Myron W. Bailey of St. Albans, *Judge of Probate.*

Alfred K. Brown of Richford, *State's Attorney.*

Rigney D. Marvin of Swanton, *Sheriff.*

John F. Draper of Sheldon, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BAKERSFIELD.**—Charles B. Brown, William S. Downey, Henry J. Armington, Earl N. Boutell, Stephen O. Tillotson, W. Arnold Whitney, William A. Giddings.

**BERKSHIRE.**—Daniel Moren, Caleb G. Thayer, Jonathan W. Leavens, Leander C. Leavens, Chester W. Searles, Ira L. Anderson, Albert H. Bowen.

**ENOSBURGH.**—Samuel H. Dow, Gardner S. Fassett, Charles L. Ovitt, William W. Hutchinson, Henry Bessey, William H. McAllister, G. Archambault, Orrin Woodword, John G. Jenne, Seymore N. Howe.

**FAIRFAX.**—S. T. Cilley, C. F. Hawley, D. Buck, E. S. Butler, J. E. Allen, D. J. Norton, C. H. Wilson.



**FAIRFIELD.**—John McQueeney, John Rooney, Moses Elwood, H. S. Dimon, H. A. Soule, Harmon Abell, William H. Morey, Rodney Sturtevant, Daniel Leach, Nelson W. Isham.

**FLETCHER.**—Charles B. Parsons, Donley H. Chapman, J. B. Leach, J. B. Nevins, C. N. Morse.

**FRANKLIN.**—A. H. Shedd, J. H. Pierce, A. L. Galusha, James Randall, A. D. Horskin, George M. Towle, H. G. Spaulding.

**GEORGIA.**—E. L. Ladd, Hiram O. Pierce, Hiram Cushman, C. E. Gale, Fred W. Bliss, H. M. Percival, Elmer J. Nye.

**HIGHGATE.**—E. C. Thompson, Col. Dunton, A. H. Spear, Frank Heffer, W. T. Cray, Thomas O'Hear, M. C. Clark, A. A. Spear, G. W. Sargent, Charles Carman.

**MONTGOMERY.**—William H. Stiles, Aaron Gates, Benjamin H. Halle, Sheldon, B. Jewett, George H. Wright, Homer H. Clapp, Bethuel H. Fuller.

**RICHFORD.**—J. G. Powell, Lewis Calkins, L. M. Durkee, Moses Pattee, H. N. Stanhope, D. W. Carpenter, N. F. Hamilton.

**SHELDON.**—C. H. Whittemore, A. F. Durkee, Byron Woodworth, W. S. Green, T. B. Webster, J. H. Stufflebean, Robert McLeod.

**ST. ALBANS.**—B. C. Hall, A. Tinker, H. C. Greene, C. D. Rublee, B. D. Hopkins, James K. Dooling, Edmund Lemay, John E. Corliss, G. N. Williston, M. W. Bailey, E. B. Brainerd, C. D. Watson, A. L. Weeks, H. G. Morton, A. C. Bingham.

**SWANTON.**—E. W. Foster, O. B. Paul, H. A. Burt, Jr., C. W. James, C. S. L. Leach, E. M. Brunette, J. S. Morrill, B. M. Bliss, John J. Foster, Hugh Donaldson, 2d, Summer Bliss, R. H. Barney.

## GRAND ISLE COUNTY.

Seneca H. Pike of Isle La Motte, } *Assistant Judges of the*  
Stephen Hoag of Grand Isle, } *County Court.*

Heman W. Allen of North Hero, *Judge of Probate.*

Elisha R. Goodsell of Isle La Motte, *State's Attorney.*

Heman W. Marvin of Alburgh, *Sheriff.*

Juan Robinson of Grand Isle, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ALBURGH.**—Calvin W. Bell, Allen R. Maning, John Carle, George Bremmer, Noel J. Powers, Edwin H. Landon, Micajah T. Mott.

**GRAND ISLE.**—M. B. Corey, W. C. Hodgkins, W. C. Hoag, Stephen Gordon, Edward Gordon.

**ISLE LA MOTTE.**—Henry H. Goodsell, James D. Stevens, Ezra E. Lamoureux, Elbert S. Holcomb, Cyrus Holcomb.

**NORTH HERO.**—O. P. Knight, M. W. Dodds, E. G. Hazen, William Best, D. B. Town.

**SOUTH HERO.**—Samuel Phelps, H. K. Robinson, John L. Browe, Walter Martin, John Phelps.

## LAMOILLE COUNTY.

Adolphus M. Kelley of Elmore, } *Assistant Judges of the*  
 Sumner A. Andrews of Johnson, } *County Court.*  
 Russell S. Page of Hyde Park, *Judge of Probate.*  
 George M. Powers of Morristown, *State's Attorney.*  
 Milo S. Burnell of Wolcott, *Sheriff.*  
 L. Halsey Lewis of Hyde Park, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BELVIDERE.**—Luther E. Thomas, Francis B. Brown, Azro P. Brown, Charles A. McCuin, Arnold-Chaffee.

**CAMBRIDGE.**—Henry Smilie, Levi L. Smith, Francis S. Edwards, Daniel C. Walker, John M. Safford, Henry J. Stowell, Julius D. Safford.

**EDEN.**—Jason Rogers, Elbridge H. Stone, Henry H. Newton, William L. Ober, Edwin C. White.

**ELMORE.**—Adolphus M. Kelley, Lyman A. Gale, W. W. Delano, Norman Camp, George A. Morse.

**HYDE PARK.**—Leonard F. Allen, Russell C. Munson, Volney A. Gilmore, James C. Crocker, A. Parker Smalley, Carroll F. Randall, Frank H. Strong.

**JOHNSON.**—C. S. Kenfield, W. H. Stearns, David Holdridge, C. D. Davis, S. Newton, L. H. Grow, B. F. Ober.

**MORRISTOWN.**—Isaac N. LeBaron, Orlo Cady, Martin Wheelock, A. B. Smith, George A. Cheney, C. S. Noyes, S. Harris, George W. Currier, S. N. Palmer, D. J. Safford.

**STOWE.**—John W. Smith, Sylvander C. Poor, Stephen G. Atwood, Chandler Watts, George D. Robinson, Salmon K. Weeks, Truman B. Smith.

**WATERVILLE.**—Benjamin E. Houghton, Samuel R. Miller, Homer L. Beard, Moses McFarland, George B. Thomas.

**WOLCOTT.**—Henry P. Parker, Samuel G. Pennock, Prince A. Stevens, Al N. Boynton, Prentiss S. Scribner, William Walsh, Anson H. Keeler

## ORANGE COUNTY.

Caleb C. Sargent of Corinth, } *Assistant Judges of the*  
 Bailey F. Adams of Randolph, } *County Court.*  
 Samuel M. Gleason of Thetford, *Judge of Probate for district*  
     *of Bradford.*  
 William H. Nichols of Braintree, *Judge of Probate for district*  
     *of Randolph.*  
 Joseph D. Denison of Randolph, *State's Attorney.*  
 Edwin M. Collins of Chelsea, *Sheriff.*  
 Stephen B. Darling of Vershire, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BRADFORD.**—Edwin R. Aldrich, Hiram W. Kimball, Julian H. Jones, Frank R. Chamberlain, Alonzo T. Clarke, A. E. Hunkins.

**BRAINTREE.**—Ephraim F. Claffin, Henry W. Fitts, Samuel R. Batchellor, Vilas C. Flint, Ebenezer C. Neff, Clarence M. Bass, George W. Flagg.

**BROOKFIELD.**—Marshall Green, Cassius Peck, Charles H. Bigelow, Andrew S. Allis, D. W. Clinton Blanchard, Harrison F. Abbott, Alpheus G. Hibbard.

**CHELSEA.**—Franklin Dearborn, H. L. Bixby, S. B. Hebard, R. S. Annis, Daniel Burnham, W. S. Hatch, Hyde Cabot.

**CORINTH.**—Loren K. Richardson, Rodney Richardson, John M. Scribner, Erdix T. Smith, George C. Cooke, Frederick P. Eaton, Charles Hanson.

**FAIRLEE.**—Warren E. Albee, W. E. S. Celley, William H. Kibbey, H. D. Moore, William H. Long.

**NEWBURY.**—Horace Denio, Enoch G. Parker, Sidney Johnson, Daniel P. Kimball, William W. Brock, Byron O. Rogers, Leonard W. McAllister, Charles S. Bolton, Alexander M. Peach, Oscar Renfrew.

**ORANGE.**—Edwin G. Peake, Erastus C. Camp, Lewis Hutchinson, William W. Wilson, George A. Tillotson.

**RANDOLPH.**—Bailey F. Adams, Gilbert Tilson, Charles W. Taft, James W. Fargo, Austin A. Smith, Arthur G. Osgood, Lyman Hutchinson, Jesse W. Carter, Aaron A. Starrs, Edson Emery.

**STRAFFORD.**—Nathan B. Cobb, Dana K. White, Moses F. Preston, Royal Burnham, Henry C. Hatch, Noah Powers, Royal A. Hatch.

**THETFORD.**—Harlan P. Cummings, W. H. Burr, C. D. Lucas, W. L. Paine, C. H. Holton, E. B. Stevens, Henry A. Cummings.

**TOPSHAM.**—Calvin Mills, Horace White, Angelo R. Beede, Orange P. Dickey, John Miles, Frank Lamb, Elijah Emery.

**TUNBRIDGE.**—James M. Whitney, Elezer F. Howe, J. Spencer Hacket, Daniel Noyes, Albert A. Northrop, Royal H. Drew, Cornelius Noyes.

**VERSHIRE.**—B. F. Fuller, S. B. Darling, R. W. Barrett, Joseph H. Gilman, Rufus Blanchard, John H. Gilman, H. G. Church.

**WASHINGTON.**—Chester Dickey, Asa H. Pepper, Plymon Seaver, Martin W. Chamberlin, John P. Fisk.

**WEST FAIRLEE.**—Alvah Bean, John G. Eastman, Madison M. Miller, Thomas E. Bond, Frank Abbott, C. W. Bliss.

**WILLIAMSTOWN.**—Henry D. Abbott, Joshua F. Bailey, Ophie S. Martin, Marcus A. Smith, Oliver S. Walker, Harvey L. Cheney, James M. Beckett.

Your committee further report that the town of Bradford is entitled to seven justices of the peace. Six only were elected; and that L. F. Hale and H. E. Renfrew have received the next highest, and each an equal, number of votes.

Whereupon, on nomination of Mr. Ballard of Burlington, Horace E. Renfrew was duly elected a justice of the peace, within and for the county of Orange, resident in Bradford, for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

Your committee further report that the town of West Fairlee is entitled to seven justices of the peace. Six only were elected; and that Joseph Tibbetts, A. M. Child and William Paul have received the next highest, and each an equal, number of votes.

Whereupon, on nomination of Mr. Ballard of Burlington, Joseph Tibbetts was duly elected a justice of the peace within and for the county of Orange, resident in West Fairlee, for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

## ORLEANS COUNTY.

Clarence P. Owen of Glover, } *Assistant Judges of the*  
 Samuel R. Davis of Troy, } *County Court.*  
 Orlo H. Austin, of Barton, *Judge of Probate.*  
 Frank E. Alfred of Newport, *State's Attorney.*  
 Lorenzo D. Miles of Albany, *Sheriff.*  
 Orlando V. Joslyn of Barton, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ALBANY.**—Byron N. Moore, Thomas B. Johnson, Albert W. Norcross, William Williams, George N. Tenney, Wallace L. Dow, Madison Cowles.

**BARTON.**—Edward Barnard, D. C. French, A. D. Mathews, J. C. Orne, Benjamin Mossman, John Forrest, Jr., D. P. Gordon, Job Guild, J. P. Baldwin, H. J. Town.

**BROWNINGTON.**—Robert Alexander, J. H. Evans, Albert Wells, S. S. Tinkham, C. A. Parker.

**CHARLESTON.**—M. M. Melvin, Clark Boyce, J. S. Underhill, E. W. Parlin, J. G. Parlin, J. C. Oliver, L. R. Allbee.

**COVENTRY.**—J. S. Kidder, M. V. Gray, H. F. Black, Luke Day, F. C. Williams.

**CRAFTSBURY.**—Charles G. Doty, Frank Crane, Amasa P. Dutton, Peter B. Randall, Edward L. Hastings, Stephen A. Smith Sprague Gage.

**DERBY.**—Horace D. Holmes, Calvin Wilcox, E. J. Tinker, A. A. Silver, Daniel Kilborn, George Grout, William Kingsley, Seymour Lane, George F. Dane, M. M. Kelsey.

**GLOVER.**—A. P. Bean, C. P. Owen, N. M. Lewis, Lyman Barber, Robert E. French, L. W. Patterson, Henry H. Cook.

**GREENSBORO.**—William W. Goss, James M. Lindsay, Noel B. Payne, Henry S. Tolman, James B. Calderwood, Tho. H. Farrington, James D. Wilson.

**HOLLAND.**—Myron M. Graves, Isaac H. Marsh, David Brewer, James A. Bradford, Norman C. Eastman.

**IRASBURGH.**—S. H. Howard, E. P. Church, J. L. Dodge, E. W. Powell, S. W. Allen, J. S. Smith, P. E. Chaffee.

**JAY.**—Z. O. Sargent, B. F. Place, W. L. Durkee, S. B. Wakeman, H. D. Chamberlin,

**LOWELL.**—Andrew J. Dodge, Legh R. Wellman, Irvin Stevenson, Freeman Farman, Horace O. Hines, Hartley D. Stannard, Charles C. Tillotson.

**MORGAN.**—C. S. Allbee, I. C. Taylor, George Bartlett, M. Whitehill, Joel Williams.

**NEWPORT.**—M. G. Sargent, C. G. Goodrich, H. S. Green, N. S. Rogers, C. L. Erwin, O. C. Miller, H. A. Wright, Peter Connel, E. Lane, Willis Richmond.

**TROY.**—D. H. Buck, F. O. Kennedy, C. P. Hitchcock, C. Bailey, S. P. Hunt, A. J. Williams, H. B. Parker.

**WESTFIELD.**—Timothy Deblois, Emery S. Miller, Adelbert C. Austin, Luther S. Woodworth, Elbridge H. Hitchcock.

**WESTMORE.**—M. D. Scott, Hugh Campbell, Calvin Gibson, F. H. Foster, O. C. Spencer.

## RUTLAND COUNTY.

John Howe of Castleton, } *Assistant Judges of the*  
Austin S. Baker of Danby, } *County Court.*

Jerome B. Bromley of Castleton, *Judge of Probate for district of Fairhaven.*

Thomas C. Robbins of Rutland, *Judge of Probate for district of Rutland.*

Edward Dana of Rutland, *State's Attorney.*

Daniel P. Peabody of Rutland, *Sheriff.*

William A. Smith of Fairhaven, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BENSON.**—F. W. Walker, O. H. Bump, A. J. Dickinson, J. H. Aiken, R. D. King, E. S. Lee, A. C. Higley

**BRANDON.**—Frank M. Pierce, Cornelius H. Forbes, George Briggs, Alva F. Smith, Austin Blanchard, W. B. Avery, Royal F. Kidder, Lewis J. Fortier, Charles M. Winslow, John C. Oram, Edward S. Marsh, Thomas Dever.

**CASTLETON.**—David D. Cole, Fayette Barney, James Brennan, James Bradshaw, R. W. Rowland, L. B. Smith, Joseph Ryan, Simon G. Bassett, Theodore S. Sherman, Patrick H. Downs.

**CHITTENDEN.**—L. I. Winslow, A. B. Dodge, Ernest J. Perry, R. O. Dow, William Mullin, George L. Knapp, Norman McCollom.

**CLARENDON.**—Leonard F. Croft, Charles Ewing, John Ridlon, Frederick A. Davis, Hadwen Hopkins, Thomas Brown, Frank Johnson.

**DANBY.**—William Otis, Ira H. Vail, Erasmus Kelley, Edward J. Read, D. S. Milliard, Charles M. Clark, C. G. Herrick.

**FAIRHAVEN.**—M. B. Dewey, E. D. Humphrey, E. L. Goodrich, C. C. Knight, W. H. Preston, Walter E. Howard, George M. Fuller, Samuel L. Hazard, W. V. Roberts, Thomas McGuire.

**HUBBARDTON.**—S. M. Dikeman, S. W. St. John, S. J. Bradley, C. B. Rhoades, A. S. Kilburn.

**IRA.**—Smith Johnson, Simon L. Peck, John Wetmore, E. L. White, E. B. Perry.

**MENDON.**—Ezra Edson, Daniel Dervin, Andrew J. Sargent, Liba A. Green, Daniel L. Webster.

**MIDDLETOWN SPRINGS.**—E. P. Seamons, William N. Gray, A. H. Cook, J. W. Yale, E. Woodward.

**MT. HOLLY.**—Alfred Crowley, Windsor Newton, M. J. Holden, Ryland P. Parker, O. M. Pelsue, L. F. French, S. H. Chaffee.

**MT. TABOR.**—Edward L. Staples, Warren R. McIntyre, Frank E. Bond, Benjamin J. Griffith, Ellis A. Millard.

**PAWLET.**—L. Johnson, J. N. Robinson, G. W. Knight, W. Blakley, M. C. Hulett, W. C. Shaw, M. V. B. Pratt.

**PITTSFIELD.**—E. Holt, J. Babcock, D. W. Ranney, L. Gibbs, H. C. Wilson.

**PITTSFORD.**—E. B. Hendee, D. T. Holden, F. C. Denison, M. A. Smith, A. D. Tiffany, R. S. Meacham, E. F. Jackson.

**POULTNEY.**—John B. Beaman, Barnes Frisbie, William H. Jones, Ira M. Clark, Charles A. Rann, Alexander Moncrief, Cuthbert C. Farwell, William H. Rowland, Frederick S. Platt, Michael Costello.

**PROCTOR.**—Frank C. Partridge, Stephen W. Mead, Otto Ulrickson, Dan D. Burditt, Isaac Cole, Henry C. Bloomer, James E. Carey.

**RUTLAND.**—Wayne Bailey, John B. Moore, A. Robillard, M. Ducharme, E. M. Woodroff, John Donnelly, Newman Weeks, John McGuirk, Edgar Davis, George T. Chaffee, A. Bachaund, H. E. Colburn, F. M. Butler, E. E. Morgan, L. G. Bagley.

**SHERBURN.**—Alonzo T. Estabrooks, Frank M. Plumley, Elbridge W. Prior, Hosea H. Spaulding, Otis L. Webb.

**SHREWSBURY.**—Nathaniel J. Aldrich, George Plumley, William F. Morse, Charles C. Holden, Amherst W. Aldrich, John M. Snyder, Amos Pratt.

**SUDBURY.**—Dighton C. Ketcham, Simeon Young, Wallace J. Sawyer, Royal E. Atwood, Rodney Barber.

**TINMOUTH.**—C. Cramton, Levi Rice, S. A. Noble, H. D. Noble, William Grover

**WALLINGFORD.**—Francis H. Hoadley, Addison G. Stone, William P. Clark, Elwyn A. Fuller, Hosea Pelsue, William H. Congdon, Charles P. Goss.

**WELLS.**—Emmet R. Pember, Derias S. Parks, Hiland E. Paul, Alexander Ikey, Alfred Lewis.

**WEST HAVEN.**—William Jakway, R. C. Abell, W. C. Brockway, D. G. Nichols, David Offensend.

**WEST RUTLAND.**—M. W. Cannon, W. W. Wheeler, Timothy Conklin, George Brown, J. D. Gallagher, Daniel Fosburg, Michael Duffey, A. A. Kidder, Rodger Dwyer, Daniel O'Rourke, James C. Gillespie, T. A. Carmody.

## WASHINGTON COUNTY.

Ira S. Dwinell of Calais, } *Assistant Judges of the*  
 Horace W. Lyford of Warren, } *County Court.*  
 Hiram Carleton of Montpelier, *Judge of Probate.*  
 Edward W. Bisbee of Barre, *State's Attorney.*  
 Frank H. Atherton of Waterbury, *Sheriff.*  
 John L. Moseley of Northfield, *High Bailiff.*

## JUSTICES OF THE PEACE.

**BARRE.**—William A. Perry, Nathan Harrington, W. C. Nye, B. B. Hawse, C. B. Townsend, E. L. Smith, A. E. Field, C. N. Barber, George W. Tilden, Clarence Wheaton.

**BERLIN.**—Martin W. Wheelock, J. Newton Perrin, Arthur L. Hewitt, George W. Dodge, A. B. Bailey, Lemuel Chandler, Hiram C. Hayward.

**CABOT.**—Theron H. Lance, Ira F. Haines, Nathaniel K. Abbott, John M. Fisher, Herbert G. Williams, Roland B. Bruce, Henry Smith.

**CALAIS.**—Aro P. Slayton, J. V. R. Kent, George H. Gray, John Thomas, Charles S. Bennett, Orson Putnam, Charles E. White.

**DUXBURY.**—E. W. Huntley, J. D. Andrews, W. R. Strickland, Willard Atkins, B. J. Stockwell.

**EAST MONTPELIER.**—George G. Nye, Truman C. Kelton, George H. Dix, Andrew A. Tracy, Edward W. Ormsbee.

**FAYSTON.**—S. J. Dana, A. D. Bragg, J. P. Boyce, Seth Boyce, S. Johnson.

**MARSHFIELD.**—James H. Carpenter, William E. Gove, Ira H. Edson, L. W. Pitkin, M. D. Bemis, H. S. Laird, Cooledge Lamberton.

**MIDDLESEX.**—Rufus W. Warren, Seaver Howard, Leroy A. Flint, Myron W. Miles, John W. Dillon, George O. Hale, Isacher E. Densmore.

**MONTPELIER.**—Charles DeF. Bancroft, Peter Badord, Osman D. Clark, Daniel C. Carey, Hiram A. Huse, Pringle H. Hinkley, William A. Lord, Joel H. Lucia, Roswell K. Peck, Melville E. Smilie, George G. Grout, George W. Wing.

**MORETOWN.**—Barnabas Mayo, George Bulkley, Freeman Parker, T. B. Sleeper, Holden E. Haseltine, John Lynch, George E. Taplin.

**NORTHFIELD.**—Thomas Slade, Ira A. Holton, Chauncey Denny, Charles A. Tracy, Martin Cobleigh, Charles H. Dutton, Truman B. R. Hildreth, William M. Davis, Walter J. Plastring, Edmund A. Loomis.

**PLAINFIELD.**—W. S. Martin, Nathan Skinner, Fred Perrin, H. G. Moore, J. S. Chamberlain.

**ROXBURY.**—William K. Boyce, George A. Young, Azro A. Simonds, George Ordway, G. A. Boyce.

**WAITSFIELD.**—Jonathan H. Hastings, Josiah Holden, Charles E. Jones, Henry N. Bushnell, Herman T. J. Howe.

**WARREN.**—James Cardell, C. W. Bragg, Lycander M. Heath, Philander Rifford, E. W. Slayton.

**WATERBURY.**—James A. Burleigh, George H. Lease, C. N. Arms, Frank N. Smith, Daniel Hopkins, R. J. Barber, Charles B. Clark, Joseph S. Wheeler, C. C. Robinson, T. T. Sanborn.

**WOODBURY.**—F. C. Putnam, L. J. Benjamin, C. A. McKnight, H. E. Whiten, W. H. Wait.

**WORCESTER.**—H. P. Darling, C. C. Tewksbury, Horatio Templeton, J. A. Kelton, Roger Hovey.

## WINDHAM COUNTY.

Ranslure W. Clark of Brattleboro, } *Assistant Judges of the*  
 Lewis S. Walker of Grafton, } *County Court.*

Royall Tyler of Brattleboro, *Judge of Probate for District of Marlboro.*

Levant M. Read of Bellows Falls, *Judge of Probate for District of Westminster.*

A. E. Cudworth of Londonderry, *State's Attorney.*

J. O. Shumway of Jamaica, *Sheriff.*

John L. Knowlton of Brattleboro, *High Bailiff.*

## JUSTICES OF THE PEACE.

**ATHENS.**—J. M. Powers, G. F. Bridges, William C. Robbins, A. A. Wyman.

**BRATTLEBORO.**—Royall Tyler, William S. Newton, R. W. Clarke, K. Baskins, E. W. Stoddard, T. J. B. Cudworth, S. H. Sherman, L. M. Sprague, E. L. Waterman, L. K. Fuller, John S. Cutting, Azor Marshall, W. H. Childs, Thatcher Perry, Phineas Goodrich.

**BROOKLINE.**—Erastus Whitney, John B. Stebbins, William Adams, T. M. Allbee, L. W. Bush.

**DOVER.**—Stillman H. Lazell, Gilbert W. Yeaw, George E. Rice, George B. Boyd, Oscar A. Lazelle.

**DUMMERSTON.**—A. B. Bailey, S. L. Dutton, T. N. Reed, J. E. Worden, S. W. Wilson.

**GRAFTON.**—Samuel Phelps, Sidney Holmes, Thomas W. Davis, Edwin C. Sherwin, Warren G. Stevens.

**GUILFORD.**—Nathan P. Chapin, W. W. Barney, J. L. Bullock, J. H. Richmond, F. G. Taylor, C. B. Lambson, C. V. Thomas.

**HALIFAX.**—L. M. Woodard, Frank Worden, Millard Weeks, E. F. Evans, Alcan-der Preston.

**JAMAICA.**—William F. Gleason, David Eddy, Charles Robbins, Fred B. Pier, Daniel Sherwin, Wales Cheney, John C. Robinson.

**LONDONDERRY.**—William W. Pierce, Harland D. Tyler, Barnet S. Wait, Sylvanus M. Holden, Ora S. Abbott, Daniel W. Marden, H. W. Smith.

**MARLBORO.**—H. W. Bellows, A. M. Prouty, J. H. Hamilton, H. M. Adams, Asa Winchester.

**NEWFANE.**—Eugene P. Wheeler, Dennis A. Dickinson, Albert T. Warren, George W. Sherwin, Thomas A. Morse, Franklin Moore, John H. Merrifield.

**PUTNEY.**—Denison Davis, Sterne O. Parker, Charles W. Kimball, John W. Stowell, John F. Austin, Oscar B. Blodgett, Fred L. Houghton.

**ROCKINGHAM.**—Josiah B. Divoll, H. D. Ryder, Z. H. Allbee, John H. Conway, Henry C. Wiley, Thomas H. Hughes, Maynard F. Burt, L. H. Eastman, Henry W. Hutchins, Herbert S. Gray, D. P. Higgins, L. C. Hubbard.

**SOMERSET.**—J. W. Rice, F. D. Chase, H. Town, William C. Bailey, E. B. Grout.

**STRATTON.**—W. R. Lyman, Jerome B. Temple, Jeremiah D. Styles, Edwin L. Grout, Henry P. Forrester.

**TOWNSHEND.**—Oscar R. Garfield, James H. Phelps, Norman W. Wood, Ira K. Batchelder, Hugh H. Holbrook, Phillip H. Butler, Samuel D. Winslow.

**VERNON.**—A. H. Washburn, Thomas Goodwillie, M. I. Reed, J. C. Allen, Lorenzo Brown.

**WARDSBORO.**—Avery J. Dexter, A. J. Martin, N. C. Johnson, Thomas F. Johnson, M. D. Leonard.

**WESTMINSTER.**—Henry C. Lane, William B. Cutting, Daniel C. Wright, Ebenezer Hall, Marvin W. Davis, Thomas W. Wiley, George R. Harlow.

**WHITTINGHAM.**—H. B. Ballou, A. A. Butterfield, Otis B. Wheeler, Charles S. Chase, E. S. Allen, Russel D. Brown, George Porter.

**WILMINGTON.**—S. T. Davenport, W. R. Boyd, Edward Titus, A. M. Johnson, Clark Chandler, H. Mann, Jr., A. W. Rice.

**WINDHAM.**—Henry M. Abbott, Henry M. Bemis, A. J. Stearns, James W. Gould, David E. Robbins.

Your committee further report that the town of Athens is entitled to five justices of the peace. Four only were elected; and that A. T. Ball and E. W. Robbins have received the next highest, and each an equal, number of votes.

Whereupon, on nomination of Mr. Holton of Brattleboro, Amos T. Ball was duly elected a justice of the peace within and for the county of Windham, resident in Athens, for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

### WINDSOR COUNTY.

William Rounds of Chester, } *Assistant Judges of the*  
Charles P. Marsh of Woodstock, } *County Court.*

Thomas O. Seaver of Woodstock, *Judge of Probate for district of Hartford.*

Hugh Henry of Chester, *Judge of Probate for district of Windsor.*

William B. C. Stickney of Bethel, *State's Attorney.*

Wilson S. Lovell of Springfield, *Sheriff.*

Lester C. Howe of Ludlow, *High Bailiff.*

### JUSTICES OF THE PEACE.

**ANDOVER.**—Lewis Howard, Volney J. Wood, Charles M. Gutterson, Isaiah Lovejoy, Henry Q. Walker.

**BALTIMORE.**—Charles Bridges, O. D. Freeman, Fred H. Olney.

**BARNARD.**—Isaac D. Davis, Daniel S. Perkins, John S. Cobb, Joseph E. Safford, Charles W. Graves, Stephen Hoar, Benjamin R. Lillie.

**BETHEL.**—William R. Adams, J. D. Cushing, Norman Fowler, Alonzo Emery, A. A. Brooks, E. R. Hatch, W. G. Whittaker.

**BRIDGEWATER.**—C. Henry Bugbee, William C. Raymond, Andrew J. Pinny, Bezaleel Wood, Lewis H. Spaulding, Alfred Sargent, Matthew E. Kennedy.

**CAVENDISH.**—George S. Hill, George F. Davis, Uriel Russell, Luther O. Weeks, John H. Stearns, H. S. Peirce, Charles F. Barrett.

**CHESTER.**—Joseph R. Richardson, Henry L. Aldrich, Edward E. Barney, Frederick W. Marsh, Lucius M. Carpenter, James A. Pollard, William H. Johnson.

**HARTFORD.**—M. F. Bartholomew, Ed. H. Bagly, George W. Smith, Charles R. Whitman, David H. Moore, John H. Hazen, Frank O'Neill, Zerah B. Clark, E. W. Morris, William G. Chandler.

**HARTLAND.**—W. S. Crooker, B. F. Labaree, W. R. Sturtevant, James G. Bates, E. W. Billings, James N. Willard, Asa J. Weed.

**LUDLOW.**—Elwin A. Howe, Leighton G. Fullam, William D. Ball, Charles W. Hemenway, Charles S. Mason, Charles Raymond, Ransom E. Hathorn, Martin H. Goddard, Lorenzo Howard, William H. Dunbar.

**NORWICH.**—John W. Loveland, William H. Clogston, Myron S. Colburn, Augustus C. Lyman, George Messenger, Charles W. Brown, Charles F. Lewis.

**PLYMOUTH.**—Alonzo F. Hubbard, Simeon H. King, John W. Stickney, John J. Wilder, Henry Hudson, Henry F. Pinney, Levi J. Green.

**POMFRET.**—Oliver G. Bugbee, Henry Brockway, Edwin Allen, Willie B. Hutchinson, Asa E. Fuller, Orville M. Tinkham, William C. Whipple.

**READING.**—William W. Keyes, Daniel P. Sawyer, Elwin W. Goddard, David E. Burnham, Orsemer S. Holden.

**ROCHESTER.**—Gardner L. Chaffee, W. W. Williams, C. Stanly, W. A. Goodno, Alpha Messer, O. G. Martin, W. H. Campbell.

**ROYALTON.**—Martin T. Skinner, Horace P. Allen, Mark J. Sargent, William H. Martin, Charles D. Lovejoy, Charles W. Bliss, Henry W. Dutton.



**SHARON.**—Amos Emery, George E. Fay, Andrew M. Willey, Edward W. Boardman, Albert B. Mosher, Charles E. Drown, Ammi Follett.

**SPRINGFIELD.**—Horace H. Howe, Daniel O. Gill, Merrill L. Lawrence, Jonathan M. Butterfield, C. Horace Hubbard, Rufus O. Forbush, George O. Henry, Fred. G. Ellison, Russell S. Herrick, Durant J. Boynton, Rollin W. Whitney, Charles E. Bisbee.

**STOCKBRIDGE.**—R. E. Wilson, E. McCollom, Martin L. Wyman, C. S. Carroll, H. W. Blackmer, William H. Edmunds, George K. Taggart.

**WEATHERSFIELD.**—F. E. Putnam, D. W. C. Thrasher, C. E. Martin, A. L. Mar-den, Joshua Upham, John Spafford, Joshua F. Davis.

**WESTON.**—W. W. Manning, O. S. Osborn, H. E. Felton, Jay Wilkinson, H. A. Hannum.

**WEST WINDSOR.**—Frederic Moulton, Walter I. Kendall, William H. H. Ralph, Cypron S. Worcester, John W. Cady.

**WINDSOR.**—T. B. Winn, Harvey Miller, Henry D. Stone, Horace Weston, C. D. Penniman, Stanley Bryant, S. T. Lull, Chittenden Rossiter, U. L. Comings.

**WOODSTOCK.**—Henry W. Walker, Charles H. English, William C. Vaughan, Edwin C. Emmons, Jasper Hazen, Horace C. Lockwood, George W. Paul, Thomas O. Seaver, Richard H. Kingsley, Benton H. Pinney.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
Clerk.

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IN JOINT ASSEMBLY, }  
OCTOBER 18, 1888, 10:30 A. M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, pursuant to a joint resolution which was read by the clerk, and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly at half past ten o'clock in the forenoon on Thursday, the 18th day of October, 1888, for the purpose of electing a chief judge and associate judges of the supreme court.*

His Honor, URBAN A. WOODBURY, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

For chief judge of the supreme court, Mr. Marsh of Woodstock nominated Homer E. Royce of St. Albans.

Whereupon, no other nominations being made,

HOMER E. ROYCE of St. Albans,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

For the first assistant judge of the supreme court, senator Bates of Caledonia county nominated Jonathan Ross of St. Johnsbury.

Whereupon, no other nomination being made,

JONATHAN ROSS of St. Johnsbury,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by *viva voce* vote.

For second assistant judge of the supreme court, Mr. Palmer of Waterbury nominated H. Henry Powers of Morristown.

Whereupon, no other nomination being made,

H. HENRY POWERS of Morristown,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by *viva voce* vote.

For third assistant judge of the supreme court, senator Cramton of Rutland county nominated Wheelock G. Veazey of Rutland.

Whereupon, no other nomination being made,

WHEELOCK G. VEAZEY of Rutland,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by a *vive voce* vote.

For fourth assistant judge of the supreme court, Mr. Ballard of Burlington nominated Russell S. Taft of Burlington.

Whereupon, no other nomination being made,

RUSSELL S. TAFT of Burlington,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

For fifth assistant judge of the supreme court, Mr. Boyden of Randolph nominated John W. Rowell of Randolph.

Whereupon, no other nomination being made,

JOHN W. ROWELL of Randolph,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by *viva voce* vote.

For sixth assistant judge of the supreme court, Mr. Holton of Brattleboro nominated James M. Tyler of Brattleboro.

Whereupon, no other nomination being made,

JAMES M. TYLER of Brattleboro,

was duly elected to that office, for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

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IN JOINT ASSEMBLY, }  
NOVEMBER 1, 1888, 2 :30 P. M. }

The senate and house of representatives met in joint assembly in the hall of the house of representatives, in pursuance of a joint resolution which was read by the clerk, and is as follows :

*Resolved by the Senate and House of Representatives*, That the two houses meet in joint assembly at two o'clock and thirty minutes in the afternoon, on Thursday, November 1st, 1888, for the purpose of electing a sergeant-at-arms, brigade commander, adjutant and inspector-general, quartermaster-general, judge-advocate-general and three trustees of the university of Vermont and state agricultural college, to serve for the period of six years from and including December 1, 1889 ; also one trustee to serve until and including the first day of December, 1889, to fill the vacancy occasioned by the death of the late Horace Fairbanks, and one trustee to serve until and including the first day of December, 1891, to fill the vacancy occasioned by the death of the late Luke P. Poland.

His Honor URBAN A. WOODBURY, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

For sergeant-at-arms, senator Smith of Washington county nominated Truman C. Phinney of Montpelier.

Whereupon no other nomination being made,

TRUMAN C. PHINNEY of Montpelier,

was duly elected to that office for the term of two years from and including the first day of December, A. D. 1888, by a *viva voce* vote.

For brigade commander senator Taft of Chittenden county nominated William L. Greenleaf of Colchester.

Whereupon, no other nomination being made,

WILLIAM L. GREENLEAF of Colchester,

was duly elected to that office for the term of two years next ensuing by a *viva voce* vote.

For adjutant and inspector-general Mr. Ballard of Burlington nominated Theodore S. Peck of Burlington.

Whereupon, no other nomination being made,

THEODORE S. PECK of Burlington,

was duly elected to that office for the term of two years next ensuing by a *viva voce* vote.

For quartermaster-general Mr. Boyden of Randolph nominated William H. Gilmore of Fairlee.

Whereupon, no other nomination being made,

WILLIAM H. GILMORE of Fairlee,

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For judge-advocate-general senator Bunker of Caledonia county nominated Henry C. Bates of St. Johnsbury, Mr. Jenne of Glover nominated Samuel N. Dix of Montgomery.

Senators Bunker of Caledonia county, Stranahan of Franklin county and Messrs. Proctor of Proctor and Jenne of Glover were appointed tellers.

The ballots having been taken and examined, it appeared that

HENRY C. BATES of St. Johnsbury,

had been elected to that office for the term of two years next ensuing.

For first trustee of the university of Vermont and state agricultural college Mr. Holton of Brattleboro nominated Redfield Proctor of Proctor.

Whereupon, no other nomination being made,

REDFIELD PROCTOR of Proctor,

was duly elected to that office, for the term of six years from and including the first day of December, A. D. 1889, by *viva voce* vote.

For second trustee of the university of Vermont and state agricultural college, Mr. Marsh of Woodstock nominated Crosby Miller of Pomfret.

Whereupon, no other nomination being made,

CROSBY MILLER of Pomfret,

was duly elected to that office, for the term of six years from and including the first day of December, A. D. 1889, by a *viva voce* vote.

For third trustee of the university of Vermont and state agricultural college, Mr. Ballard of Burlington nominated Ebenezer J. Ormsbee of Brandon.

Whereupon, no other nomination being made,

EBENEZER J. ORMSBEE of Brandon,

was duly elected to that office, for the term of six years from and including the first day of December, A. D. 1889, by a *viva voce* vote.

To fill the vacancy caused by the death of the late Horace Fairbanks, Mr. Ballard of Burlington nominated Ebenezer J. Ormsbee of Brandon.

Whereupon, no other nomination being made,

EBENEZER J. ORMSBEE of Brandon,

was elected to fill such vacancy.

To fill the vacancy caused by the death of the late Luke P. Poland, Mr. Prouty of Newport nominated Josiah Grout of Derby.

Whereupon, no other nomination being made,

JOSIAH GROUT of Derby,

was elected to fill such vacancy.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

IN JOINT ASSEMBLY,  
NOVEMBER 27, 1888, 9:30 P. M. }

The senate and house of representatives met in joint assembly, in pursuance of a joint resolution which was read by the clerk and is as follows:

*Resolved by the Senate and House of Representatives, That the two houses meet in joint assembly in the house of representatives, November 27th, 1888, at 9:30 o'clock P. M., for the purpose of electing a state superintendent of education.*

His Honor, URBAN A. WOODBURY, president of the senate, in the chair.

CHARLES W. PORTER, secretary of state, clerk.

For state superintendent of education,

Mr. Dole of Northfield nominated Edwin F. Palmer of Waterbury, Mr. Holton of Brattleboro nominated Walter E. Howard of Fairhaven, and Mr. Prouty of Newport nominated Loveland Munson of Manchester.

The ballots having been taken and examined it appeared that

EDWIN F. PALMER of Waterbury,

had been elected to that office, for the term of two years from and after the first day of December, A. D. 1888.

The joint assembly dissolved.

CHARLES W. PORTER, Secretary of State,  
*Clerk.*

REPORT OF THE JOINT COMMITTEE ON AGRICULTURE OF THEIR VISIT TO THE VERMONT AGRICULTURAL COLLEGE AND EXPERIMENT STATION.

*To the Senate and House of Representatives now in Session :*

The committee on agriculture, who were instructed by joint resolution to visit the Vermont university, agricultural college and experiment station, and report by bill or otherwise, have performed the duty assigned them, and beg leave to present the following report :

By act of congress of July 2, 1862, a fund was given to each state that should comply with the provisions of said act, in establishing—within a period of five years from its passage—at least one college where instruction should be given in such branches of learning as related to agriculture, the mechanic arts, and practical education of the industrial classes in the various pursuits and professions in life, but not excluding classical or scientific studies or military tactics. The act also provided that not more than ten per cent. of the amount received should be expended in the purchase of lands for experimental purposes, and that no portion of said fund should be used for the purchase or erection of buildings, or keeping the same in repair.

As the state could not receive the appropriation (the use of which is \$8,130 per year) under said act of congress, without raising in some manner a large additional sum, or entering into co-partnership with some college already in existence, an act was passed by the general assembly of 1863, authorizing the three colleges of the state, viz. Burlington, Norwich and Middlebury, to unite in one state university for the purpose of entering into partnership with the state, and thereby secure the fund. The colleges did not unite and the project failed.

In compliance with the said act of congress, the agricultural college was chartered by the general assembly of 1864, with a condition that one hundred thousand dollars should be raised by voluntary subscription for the endowment and other uses of said college.

This condition was not fulfilled, and by the terms of the charter it would lapse on the 15th day of November, 1865, and the U. S. fund be lost to the state.

Six days prior to the day when said charter would fail by reason of non-compliance with its conditions, the general assembly decided to save the fund by uniting the agricultural college with the Vermont university, and accordingly passed an act incorporating

the Vermont agricultural college (chartered the previous year) with the Vermont university, under the name of the university of Vermont and state agricultural college.

Section 5 of said act of incorporation reads as follows :

"There shall, at all times, be maintained in the institution hereby created, such instruction in the various branches of learning *as is contemplated in the several charters of the institutions* hereby united ; and more particularly including a four years' course of studies, similar to such as are generally taught in other colleges, and not inferior to that recently taught in said university of Vermont, and in addition to that which is usually taught in other colleges. The instruction in this institution shall include such enlarged facilities and extended scope and variety in the branches which relate to military tactics, agriculture and the mechanic arts *as shall render the whole institution in conformity with said act of congress*, as well as with the several charters aforesaid."

The charter of the university which was established in 1791 provides for the classical department.

The charter of agricultural college, 1864, provides for the industrial course, which includes military tactics, and such studies as relate to agriculture and the mechanic arts, chemistry, civil engineering, metalurgy and mining engineering, mathematics, laboratory practice, modern languages and English literature.

Like the classical, the industrial may include a four years' course, or special course short of four years.

There is also a special winter course provided, including lectures on agriculture, chemistry, botany, physics, entomology, stock-breeding, darying, fruit culture, road-making, farm accounts, bee culture, and various other subjects.

This latter course usually consists of twelve or thirteen lectures.

Tuition in classical or industrial course is the same ; all the students have equal privileges in special courses, and all are equally entitled to other privileges of the institution. The act of incorporation prohibits the management from requiring the student to perform manual labor, and as no demand has been made upon the trustees to purchase land for agricultural or experimental purposes, the ten per centum of the fund which they were permitted (by act of congress) to use for such purchase has not been so appropriated.

At the time when the act of incorporation was passed, viz. : November 9th, 1865, the *state* had no buildings for its agricultural college, and as no part of the U. S. fund or income from said fund, was or could be permitted to be used for the *purchase or erection* of such buildings, the want was met by the university, which was fairly equipped at that time for the proper accommodation of its own students.

It is claimed, however, that a large amount was immediately ex-



pended by the friends of the university to meet the necessities of the new institution. Funds for the erection and purchase of other buildings have since been contributed by the alumni, and other friends of the university, conspicuous among these is the Billings library building, the gift of Hon. Frederick Billings, which contains 23,700 volumes, exclusive of the Marsh library which occupies the addition erected for the sole purpose of preserving this unique and valuable collection of 12,000 volumes.

As appears in the biennial report of the trustees, that twelve lectures were given on various subjects connected with agriculture, beginning January 21, 1887, and ending March 4, '87.

In the winter of 1888, thirteen lectures of a similiar character were given.

#### AGRICULTURAL SHORT TERM.

In the winter of 1887 two sessions, of ten weeks in all, were attended by a class of nine students, and instructed in plant growth, in its relation to artificial fertilizers, feeding of farm stock and the study of milk in its various products, these students were also reciting and carrying on their experiments at the station building.

As appears from the catalogue of the institution for 1888, there were students in special course of agriculture, 6  
Students in winter course for farmers, 144  
Aggregate in all departments, 487

The act of incorporation made the Vermont university and state agricultural college a joint institution, and from *the necessities of the case*, the income from the United States college fund, rents, tuition fees, contributions and interest of university funds, go into a *common treasury*, from which is paid salaries of the president and professors, and all other necessary expenses of the institution.

#### TREASURER'S REPORT.

The following abstract from the treasurer's report of 1886-7 and 1887-8, shows the income and expenses of the institution to be as follows:

Income.	1886-7.	1887-8.
Int. on agricultural college fund,	\$8,130.00	\$8,130.00
From rents,	4,445.95	3,842.95
“ funds,	6,709.20	6,816.80
“ students' bills,	5,063.64	5,754.99
“ other sources,	3,955.41	6,137.25
Total income,	\$29,314.21	\$30,681.84
Expenses.		
Salaries and wages,	\$23,053.38	\$23,131.54
Other expenses,	8,938.90	8,275.63
Total expenses,	\$31,991.90	\$31,427.63

## AGRICULTURAL EXPERIMENT STATION.

By act of the general assembly approved November 24, 1886, the experimental station was established under the direction of the Vermont university and agricultural college. Section two of the act provides that the trustees of said institution shall appoint, annually, two of their number, who, with the president of said university and agricultural college as their chairman, shall act as a board of control for said state agricultural experiment station.

By act of congress passed March, 1887, the sum of \$15,000 annually, was appropriated to each state for the purpose of providing for a department in one or more colleges, or schools of agriculture, "to be known and designated as an agricultural experiment station." The act also provides that "in any state in which two such colleges have been, or may be so established, the appropriation shall be equally divided between such colleges, unless the general assembly of such state shall otherwise direct." In section five of said act, it is provided that out of the *first* annual appropriation so received, an amount not exceeding one-fifth may be expended in the erection, enlargement or repair of buildings for the use of such station; and thereafter an amount not exceeding five per centum of the annual appropriation may be so expended; but no part of the appropriation is permitted, by said act, to be used for the purchase of *lands* for experimental purposes, nor can any portion of it, except as above stated, be used for any purpose whatever except for the legitimate work of the experiment station and farm connected therewith.

## VISIT TO THE COLLEGE.

Your committee, escorted by the president and Professor Cook and the college secretary, visited the several departments of the institution and made such investigations as the time at our disposal would permit.

No better location for the college could be desired, the buildings are ample for its needs and attractive in appearance. The new Billings library building is the pride of the institution, and of which Vermonters may be justly proud.

The laboratories, museum of natural history, the art gallery, anatomical and physiological cabinet of the medical department were in turn visited by us and found to be in excellent condition.

We also witnessed a display of military tactics which was very creditable to the students and their officer.

We find the experiment station fairly well adapted to its purpose, and well supplied with fixtures and apparatus for making investigations and experiments.

In the same building is the lecture room, seating two hundred, in which the winter course of lectures to farmers is given.

## STATION FARM.

The station farm located in South Burlington, three miles from the station building and connected by telephone, is perhaps an

average Vermont farm of 104 acres; the soil is clay-loam, gravelly clay, and stiff clay; has plenty of cobble-stone, fields pretty well run out, but of a good, naturally strong soil.

The buildings are fairly good, yet the barns are entirely insufficient and improperly arranged for keeping of and experimenting with stock, and storing the farm products.

The farm and experiment buildings should be specially adapted to the purpose for which they are designed, and should be on the same farm, or at least near to each other.

As the farm was purchased late in the spring, the first year's results make but little show, yet we were interested in examining eighty varieties of potatoes raised on the farm, a dozen or more experimental plots of the different grasses, and some new fodder plants.

The farm is located too far from the station, but we think it fairly well adapted to the working out of certain problems in experimental agriculture.

Although the report of the trustees for the years 1886-7 and 1887-8, shows the university and agricultural college to be out of debt, it also says it "needs greatly increased resources in order to do the work which properly belongs to it as the state university."

If, as is claimed, the agricultural department of the institution has proved to be a failure, it is through no fault of the management, but rather for the reason that our young men decline to take an agriculture course in connection with those who are pursuing a classical one.

Your committees are satisfied that the trustees and managers have aimed and faithfully labored to comply with their charters, to meet all demands for instruction in each of the departments, that have been made upon them.

JOHN E. CHMBERLIN,	}	Committee of the Senate.
WILLIAM W. HIGBEE,		
HENRY J. PARKER,		

JOHN A. CHILD,	}	Committee of the House.
ERASTUS C. CAMP,		
WILLIAM R. SILVER,		
LA ROY SOUTHWORTH,		
HENRY C. CLEVELAND,		
WILMER A. LELAND,		
BRIGHAM T. PHELPS,		
AARON LOVELAND,		
DANIEL C. SMITH,		
HENRY C. GLEASON,		
CHARLES M. KING,		
JOHN PARSONS,		
GARDNER L. CHAFFEE,		
HENRY W. MYERS,		
CHOATE O. HOWARD,		

## REPORT OF JOINT STANDING COMMITTEE ON REFORM SCHOOL.

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The joint committee on the reform school, pursuant to a joint resolution, visited the reform school at Vergennes, October 25.

Julius N. North and H. C. Fisk, members of the board of trustees, accompanied the committee and assisted them in their investigations.

The school is situated on a beautiful site just west of the city. The property consist of 132 acres of good land. The large home and school buildings, the girls' buildings, the old stone arsenal building, a good barn and a granary. The whole, including the personal property, is valued at some thirty thousand dollars. The large building is furnished with all things needed for the home. The building is the home of all the officers and the boys.

The girls occupy a small building some rods away called the girls' home, which is well fitted up for their comfort. In the large building is the work-shop for boys, where those who do not work on the farm, work certain hours a day bottoming chairs. It also contains the school room and the chapel.

A critical examination without and within, showed that nothing had been omitted to make the sanitary condition what it should be.

No one inmate has been sick, so as to be confined in the hospital for two years. The culinary department is all that could be desired—good order and neatness prevail throughout.

This is a reformatory institution; so in fact it has been made by the excellent management of the trustees and officers connected therewith.

The inmates are made to feel, as far as possible, that they are not criminals, but are placed there for such training and education as will fit them to become useful members of society, and this is accomplished by a kind and firm treatment and an interest shown in each of them for their welfare.

The rules of the institution require that a portion of the day shall be given to work, a portion to school and a portion to play.

The opportunities for study and school are such that intelligent boys and girls make rapid progress, gaining a good education in the common branches.

Our examination of the school was highly satisfactory, some of the inmates showing great proficiency in free-hand drawing.

The recitation of the multiplication table from two to twenty-five would do credit to the highest classes in our best graded schools.

We were pleased to find a commodious hothouse, well filled with a good variety of plants. We think it one of the best things connected with the institution, as the cultivation and love of flowers.

has a refining influence, and the cost is very little, as it is heated by waste steam from the engine.

The girls' work is to make and to mend the boys' clothes, and their own.

The farm is productive and well managed; on it is a lime-rock quarry which is being worked by a phosphate company, who pay to the state a small sum per cubic yard. The rent paid for water for the use of the institution is \$250 per annum. We think quite a saving might be made on this item by bringing the water direct from the falls above the institution, and that it can be done at a cost not to exceed the sum of \$1,500.

We take pleasure in saying that there is every evidence of a most conscientious and careful regard for the welfare of those committed to the institution, on the part of the trustees and the officers, and that the results of the education and training of the inmates, as shown by the many successful men who were boys in this institution, is very gratifying and shows the wisdom of our state in founding it.

SIDNEY HOLMES	} Committee on the part of the Senate.
W. A. JONES,	
Z. M. MANSUR,	

J. A. PERKINS,	} Committee on the part of the House.
N. J. McCUEN,	
H. H. SOMERS,	
THOS. GOODWILLIE,	
I. L. PEARL,	

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#### TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES:

Your committee on state prison beg leave to report:

That, in obedience to a joint resolution of the two houses, on the 25th day of October, A. D. 1888, we visited the state prison at Windsor, and examined into its management and sanitary condition, and inquired what repairs and improvements in and about the same were needed.

We found the institution conducted with order and regularity; neatness and dispatch characterized the place. Its rooms, cells, hall, workshop and yard, were scrupulously neat and clean. The convicts, though not expressing any desire to make a permanent home in that latitude, were nevertheless provided with wholesome, healthy and sufficient food, and sufficient and comfortable clothing.

The boiler which furnishes warmth for the prison, and power for the work shop, was deemed by the directors to be insufficient for the purposes, and in order to enlarge the same, it becomes

necessary to enlarge the boiler house also, all which has been done at an expense of eight hundred three dollars and twenty-nine cents.

Your committee are of the opinion that this was a wise improvement, and that an appropriation should be made by the legislature to pay this amount.

We also found that the bed racks in the cells in the east wing, where the convicts sleep, in a bad shape and so narrow many of them were pieced out by slats of board across the rack. There are one hundred four cells here, and new racks can be procured for about six dollars and fifty cents each. In most of these cells there are no chairs; when a convict sits in his cell on the stools now there, the support for his back is the cold stone wall, which of course, leaves him liable to contract a cold, besides disfiguring his clothes with whitewash.

There are a few stands in the cells.

Though statistics tend to show that only a small *per cent.* of state prison convicts ever became reclaimed from the ways of sin, to that of good citizenship, yet we would provide them with a comfortable wooden chair with a back, and a cheap stand on which to lay a bible, if perchance some Christian heart has or will furnish the same, and place it there.

We therefore recommend the passage of the accompanying bill.

A. A. BUTTERFIELD,	}	Committee on the part of the Senate.
CHAS. RIPLEY,		
L. F. TERRILL,		
DWIGHT TUXBURY,	}	Committee on the part of the House.
GEO. S. ROBINSON,		
W. H. RAND,		
C. C. EMERSON,		
A. A. BALL,		
S. H. DOW,		
H. H. NEWTON,		

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- H. 138. An act to incorporate that part of the village of Swanton in the town of Swanton, included in fire district No. 1, in said village, 89, 132, 139, 170.
- H. 139. An act to regulate the sale of commercial fertilizers, 280, 288, 292, 322.
- H. 140. An act for the protection of fish in Lake Bomoseen in the towns of Hubbardton and Castleton, 238, 243, 245, 306.
- H. 143. An act to amend chapter 95 of the Revised Laws, relating to estates of homesteads, 85, 86, 307.
- H. 144. An act in addition to No. 238 of the acts of 1886, entitled "An act to empower the village of West Randolph to bring water into said village and issue bonds for that purpose," 96, 97, 142, 160.
- H. 145. An act to consolidate, amend and in addition to the various acts heretofore passed concerning the village of Springfield, 117, 118, 161, 211.
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- H. 152. An act giving auditors, referees, arbitrators and commissioners certain powers, 122, 124, 132, 139, 160.
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- H. 156. An act to pay Mary A. Cutler the sum therein named, 264, 268, 275, 308.
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- H. 159. An act to pay David Kiley the sum therein named, 248, 252, 261, 306.
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- H. 163. An act in amendment of and addition to section 2420 of the Revised Laws of Vermont, in relation to duties of probate courts, 122, 124, 132, 139, 187.
- H. 164. An act to amend No. 237 of the acts of 1886, empowering the village of Barton to bring water into said village and to issue bonds therefor, 96, 98, 142, 187.

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- H. 166. An act to prohibit the sale or gift of tobacco to persons under sixteen years of age, 117, 118, 121, 130, 143, 152, 194, 215, 283.
- H. 170. An act in amendment of section 2543 of the Revised Laws, in relation to the changing of names, 123, 124, 158, 162, 165.
- H. 171. An act in addition to and in amendment of No. 41 of the acts of 1884, relating to savings banks and trust companies, 248, 251, 261, 306.
- H. 172. An act in amendment of section 3633 of the Revised Laws, in relation to telegraph and telephone lines, 107, 109, 219, 222, 239, 283.
- H. 173. An act to amend section 2693 of the Revised Laws, and simplify the collection of taxes, 182, 184, 221, 222, 239, 283.
- H. 176. An act to pay J. H. Kidder the sum therein named, 248, 252, 261, 306, 315.
- H. 179. An act to amend section 4460 of the Revised Laws, relating to the discharge of convicts from the state prison and house of correction, 102, 104, 121, 139.
- H. 180. An act in amendment or an act entitled, "An act in relation to the property rights of married women," approved November 26, 1884, 138, 140, 167, 169, 211.
- H. 182. An act relating to attachment of real and personal property for the purchase money thereof, 102, 104, 121, 131, 148, 150, 159, 296, 303, 322.
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- H. 184. An act in amendment of number 175 of the acts of 1886, relating to the citizens' savings bank and trust company of St. Johnsbury, 107, 109, 133, 160.
- H. 186. An act in aid of the university of Vermont and state agricultural college, 224, 227, 245, 282, 308.
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- H. 190. An act to legalize the quadrennial appraisal of the real estate of the town of Ryegate for the year 1886, and the grand lists of said town for the years 1887 and 1888, 96, 97, 132, 138, 152, 160.
- H. 191. An act in addition to an act providing for the construction of a jail-keepers dwelling and a barn in the county of Chittenden, approved November 22, 1886, and for other purposes, 248, 252, 292, 321.

- H. 192. An act to pay Lewis F. Lillie the sum therein named, 138, 140, 155, 187.
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- H. 201. An act in addition to and amendatory of the charter of the Troy conference academy, 96, 98, 167, 211.
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- H. 229. An act to amend section twenty of number two of the acts of 1882, relating to the grand list, 264, 269, 295, 304.
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- H. 231. An act to protect fish in Lowell lake, 224, 227, 306.
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- H. 260. An act to legalize the grand list of the town of Lyndon for the year 1888, 138, 140, 155, 188.
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- H. 309. An act to protect black bass in Franklin pond in the town of Franklin, 186, 188, 209, 283.
- H. 312. An act to pay W. W. Warren the sum therein named, 280, 289, 293, 315.
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